IMT Nuremberg Archives

H – 993

International Court of Justice

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H0993-0002

Com. A
Take 1-Pg. 1
Meehan
27, June, 1946.
Hoffmann.

OFFICIAL TRANSCRIPT OF TESTIMONY FOR THE DEFENSE OF ORGANIZATIONS, TAKEN BEFORE A COMMISSION APPOINTED BY THE INTERNATIONAL MILITARY TRIBUNAL PURSUANT TO PARAGRAPH 4 OF THE ORDER OF THE TRIBUNAL DATED 13 MARCH 1946.

27 June 1946.

COMMISSIONER:

Captain Joseph Tubridy.

THE GESTAPO

(THE COMMISSION CONVENED AT 1000 HOURS.)

DR. KARL HEINZ HOFFMANN, a witness, took the stand and testified as follows:

CAPTAIN TUBRIDY: The witness is to be reminded that he is still under oath?

THE WITNESS: Yes Sir.

CAPTAIN TUBRIDY: Proceed with the witness, Dr. Merkel.

DIRECT EXAMINATION RESUMED.

MR. LANOIRE: I wish to make a declaration before the direct interrogation of the witness is continued.

Yesterday the witness brought up questions which interest the French prosecution insofar as theyconcern the activity of the Gestapo in the occupied countries of the West.

After having spoken yesterday of Denmark, the witness is to make a statement today of facts which interest Holland, Norway and France itself. I cannot proceed to the ~~counter-interrogation~~ Cross Examination of the witness without having beneath my eyes a complete transcript of his deposition and without having

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consulted the delegates of the Danish, Netherlands and Norwegian Governments. The American prosecution is ready to counter-question the witness without delay on a certain number of questions.

I ask you for my part to give me three days for the preparation of my file and to have the witness recalled at the end of that period.

I believe I can add that the Counsel of the Gestapo has no objection to the postponement.

CAPTAIN TUBRIDY: The only element that might interfere with the postponement is the question of time. We are short ~~of~~ time and ~~then I don't think~~ there is any guarantee that the witness will be here next week. With that in mind, I don't see any objections to the request.

DR. MERKEL: I have no objections to the proposal.

CAPTAIN TUBRIDY: Does any one want to question the witness further? Commander Harris, do you want to question the witness further?

COMMANDER HARRIS: This witness is still on direct examination.

BY DR. MERKEL:

Q What were the duties, goals and activities of the Befehlshaber of the Security Police in Holland and Norway? In order to make it short, you can state that the duties, actions and goals of this organization was about the same as they were in Denmark, which has been already described.

A It was to keep up law and order and to secure law and order and also to guard the German army and German interests.

Q Was there also a Befehlshaber or commander of the Order Police

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in Holland and Norway?

A Yes.

Q What were his duties?

A It was his duty to take care of the interests of the Ordinary Police.

Q Under whose jurisdiction was the higher SS police leader in Holland and Norway and what were his duties?

A He was directly under the Reichsfuehrer SS and Reichskommissar. It was his duty to combine all police questions.

Q Did the military command in Holland and Norway have any jurisdiction to give orders to the Gestapo in Holland and Norway?

A In case of ~~marshall~~ martial law being declared when these areas became areas of operation, yes. In order to prevent that the Reichskommissar in Holland and Norway created what was called the civilian ~~marshall~~ martial law, which gave them the power.

Q I have only a few specific questions concerning Holland. Was there an order of the Reichsstadthalter in Holland, which forbade the arrest of Netherland citizens by German police officers and how long was that law in effect?

A After the march into Holland people that had been found by the army were arrested. When the Security Police moved in the Reichskommissar announced that only with his approval could persons be arrested. At that time there was hardly a basis to arrest anyone. I left Holland in September of 1940 and I believe that this law was rescinded in November of

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that same year and the first resistance movement became apparent.

Q Were the Security Police forces in Holland smaller than before?

A Yes, there was an order of Heydrich, which he gave while personally in Holland in September of 1940 because they did not figure on any kind of riots.

Q What was the opinion of the Security Police concerning this matter?

A The Security Police believed that this belief of no trouble would be found to be wrong within a short time. During this reduction of forces in Holland, the commanders of the Security police were recalled and liaison officers or outside branches created.

Q Were any hostages shot in Holland?

A I know from my later activities in Berlin either in 1942 or 1943 hostages were shot. This request was made from the army and the Reichskommissar Security Police Office. Berlin protested against this shooting of hostages and we reported in that manner to the Fuehrer's headquarters.

Q After the intervention were no more hostages shot later on?

A I suppose that due to these protests no hostages were shot.

Q Were the shootings themselves carried out by the Security Police?

A I cannot say.

Q Why and when was civilian martial ~~marshall~~ law declared in Holland?

A This martial ~~marshall~~ law was created in Amsterdam and Rotterdam because of attacks on German police.

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Q Were there any concentration camps in Holland?

A As far as I know there was a concentration camp at Hertogenbosch.

Q Under whose administration was this concentration camp?

A The inspector of the Concentration camp at Oranionburg.

Q Was that the office of the Security Police?

A No.

Q Under whose command was this office?

A The SS - W.V.H.

Q Was that in other words an organization of the SS?

A Yes.

Q How did the deportation of the Jews in Holland start? How was it?

A I cannot say anything about this, because the only thing I heard about this deportation was from the monthly reports.

Q Do you know anything about the confiscation of Jewish property by the Security Police?

A I cannot give you any information concerning that from my own knowledge.

Q Were there any sharp interrogations?

A It was necessary to receive the O.K. for the approval of such interrogations from the chief of Amt. 4. I know there were four or five during my time, since after they had been approved and taken care of, these reports were placed in my safe. After this right of approval was directed to the Befehlshaber, I do not know what happened after that.

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Q On Page 3327 of the German transcript is the following: "A prisoner a priest who was beaten to death with a rubber hose"- that is concerning Holland. Do you know anything concerning this?

A I cannot say anything concerning this from my own experience, but I don't consider it possible, because this case would have had to be reported to Berlin.

Q On Page 3519 of the German transcript, it reads that all the Netherland Jews, who were caught by the Germans, were put in the Concentration Camp Westerborg and deported slowly from that camp to Poland. What do you know about that?

A All of these matters were taken care of by the special commission, Eichmann. He never informed us of any of his work. The only thing I know about the deportation was what I learned about the already completed deportations in the monthly reports.

Q On Page 3615 of the German Transcript, it states that summary court powers were given to the police officers direct by the Reichsstadthalter? Was the security police connected in any way with this matter?

A I cannot give you any information concerning this. Either I forgot about it, or it was given out after I left Berlin.

Q How were the laborers selected within Holland for Germany?

A That was taken care of through the Labor Einstz administration or the Labor Usage administration.

Q Was that an office of the Security Police?

A No.

Q Under whose jurisdiction was it?

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A The Reichs Ministry of Labor, in other words the Reichskommissar for Labor Sauckel.

Q Were any persons who refused to work arrested by the Security Police in Holland?

A As long as I was in Holland this was forbidden and when I was in Berlin I never heard that this order was rescinded.

Q Only a few more questions concerning Norway. In the Document UF 79 - RF 213, the following is mentioned on page 21. "Reichskommissar Terboven was directly under the jurisdiction of Hitler and received his orders and directives from him." Is that correct?

A Yes.

Q These police were under the command of the I.A.S.H.A. in Berlin, but also received orders from Terboven and the matter created quite a bit of friction?

A I can only describe these relations as follows: The RSHA in Berlin could give orders to the Security Police insofar as these orders were not in opposition to the orders given by the Reichskommissar, since the Reichskommisar was directly under the jurisdiction of Hitler and the other officers could not give him any sort of a directive. If the RSHA wanted to remove or recall any order of Terboven, the only way this could be done was by the direct order of Hitler. The only other possibility was when the Reichsfuehrer SS, either through a direct letter or conversation, attempted to change the mind of the Reichskommissar, however, this was usually very hard since Terboven was a very stubborn person.

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Q Did the Gestapo have the possibility in Norway not to carry out the orders of Terboven?

A It was practically impossible. The only possibility was for the Security Office in Norway to inform the RSHA and then the Reichsfuehrer SS would attempt to bring about a change of directives.

Q I present to you Document PS 8704 - 7281, it is a report of Terboven to Hitler concerning sabotage acts in Oslo ship yards. 11-1 He states: "According to the opinion of Himmler and Kaltenbrunner any kind of counter terror would not bring the desired result." What can be said for the policy of the Security Police?

A The Gestapo, due to technical reasons, did not approve of the counter terror and only saw bad influence or bad results for German interests.

Q Is it correct that some of the measures of the Norwegian Government made it necessary for the Security Police to intervene and do you know of any specific details?

A In Norway, due to the activities of some National Socialistic groups the Government brought about measures which only made the situation worse. For instance the National Socialistic Government forced the Norway teachers to join a teacher's association. During this measure, Terboven ordered the now famous "deportation of teachers" to Northern Norway. That brought about a partial use of the Security Police. The same thing was the problem in the Norway Johrt quarrels.

Q Is it true that the Gestapo tried to prevent some of the orders of Terboven due to regular police policies and ideas?

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A I suppose you mean the Gestapo?

Q Yes.

A From the time I was in Berlin - 1940 to 1943 - we, of the RSHA in Berlin attempted to stop and slow down the shooting of hostages in Norway and at times it was possible to stop the shooting of hostages through the efforts of the Fuehrer. Through the activities and political influence of Terboven it was never possible to bring about a final solution.

Q Did the Gestapo ever request that Terboven be recalled from Norway and why?

A Due to the policy of Terboven the resistance movement became more and more evidence and due to that we combined all the information and facts we had about Terboven and that was sent to the Reichsfuehrer SS. We requested that Terboven be recalled. In this report, we not only gave his personal impossible actions, but also his political decrees which were against German interests. The entire material was presented to Amt. 3 and I believe they sent it to the Reichsfuehrer SS. The SD in this case supported entirely the request of the Gestapo.

Q What was done in Norway concerning the orders of Terboven to burn down entire villages in Norway?

A We also requested in continues reports to the Fuehrer's headquarters that these measures be stopped.

Q Did you have any results?

A I believe yes.

Q Did the Gestapo bring any Norwegian prisoners to Germany in order

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to take them out of the jurisdiction of Terboven?

A I remember three cases, the Police President of Oslo, a judge by the name of York and one third case. Since the Gestapo considered it unnecessary that these people were arrested and since Terboven refused to set these people free, the Gestapo took these prisoners to Germany and there freed them.

Q In what way were mistreatments of prisoners become known in the headquarters of the RSHA in Berlin?

A Through the Norwegan white book in London.

Q What was then done by the Gestapo?

A The matters were investigated by Amt. 4. It was found out that the person responsible for this was a certain criminal officer by the name of Fehmer, who found a personal aid in Terboven. Amt. 4 requested from Amt. 1 that Fehmer be recalled and disciplined. I don't know what happened later on, as I was transferred.

Q On page 3458 of the German transcript is a statement by the witness, Cappelen, who has been heard before this Tribunal and he stated that he was mistreated severly by a criminal commissar, Fehmer. Is that the same Fehmer about whom you are talking and what was done to prevent a reoccurance of these matters?

A I believe that this case too was written up in the White Book and I can add nothing to what I have already said.

Q Was it among the goals, activities and duties of the Gestapo to carry out such mistreatments?

A I can only say here the same thing I said concerning Denmark.

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Q In other words?

A I can only say that with the exception of the known decrees concerning the hard interrogations that all other mistreatments were legal and were punishable.

Q Is it true that an expert of Amt. 3 travelled through Norway on an official trip and what was the reaction of Terboven when he heard of this trip?

A A Proffessor Frankenberg of Amt. 3 was ordered to leave Norway upon the order of Terboven, who did not like his presence in Norway and he was even threatened with arrest.

Q Who was responsible for the deportation of Jews in Norway?

A Also a measure of the staff of Eichmann.

Q Do you know who ordered and carried out the confiscation of Jewish property in Norway?

A I do not know anything from my own knowledge.

Q Was the confiscation of radios ordered in Norway and by whom?

A Terboven ordered the confiscation of radios. The protests of the RSHA were without results concerning this measure, but it was possible to prevent such orders as the confiscation of radios in other countries where they had radios.

Q What Amt. of the RSHA was connected with this?

A Amt. 4.

Q In the same document already mentioned, UK 794, F 233, dated July 20, 1944, several prisoners were taken out of the concentration camp at Gvini and were shot without trial. The reason for the shooting

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is still unknown, however, considering the date, it is possible that the Gestapo had ordered the shooting as a revenge measure because of the attack on Hitler's life?

A I was not in Berlin anymore and therefore cannot give you any information.

Q Who was responsible for the labor service in Norway?

A The Labor office was under the Reichskommissar for Labor Recruitment Sauchel.

Q On Page 33 of the same Document, it states that the orders concerning the confiscation of property and finances mainly hit the persons that fled from Norway in order to escape ~~ikm~~ arrest by the Gestapo?

A I can remember regularly such an order was given out by Terboven.

Q Now, the last point. That is the arrest and treatment of the high Government political officers of France by the Gestapo. What persons do you know about.

A Concerning this, I mention: Weygand, Gamelin, Prime Minister Reneaux, Leon Blum, Daladier, the chief of the General Secretarial of the French Unions Leon Jouhaux plus seventy other Generals and high Government officers.

Q Under whose order did this deportation start and how was it carried out?

A The arrest and deportation was carried out on the orders of the Reichsfuehrer evidently in connection with the Foreign Minister. The RSHA did not have any previous knowledge.

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Q What was the point of view of the Gestapo concerning this problem?

A First of all Minister Reneaux and Minister Mandel, whom I forgot to mention before, on orders of the Reichsminister were ordered to be kept in prison cells. The Gestapo contacted the BDS in France and they were also of the opinion that these men should not be housed in prison cells. After a long discussion, it was possible to convince the Reichsfuehrer to order a better place of detainment. Prime Minister Reneaux first came to a little billet in Oranionberg and then to Castle Itter. Minister Mandel and Prime Minister Blum were kept in a village within the village of Buchenwald, while all the other French officers were kept at Castle Itter. They were all kept in a position and conditions equal to the respect of their positions.

The seventy French Generals and high Government officials were sent to Hotel Forrelle near Innsbruck. They received additional food allowance as well as certain advantages and had no restricted package and mail service. Prime Minister ~~Reneaux~~ REYNAUD and Secretary Jouhaux were permitted to keep their secretary's with them while they were in confinement so that they could keep up their work. Prime Minister Blum was permitted to marry during his confinement and ~~it~~ she was permitted to live with him. Another General ~~DeGaulle~~ was sent to Castle Garlitz in Mecklenburg and later on his wife was permitted to live with him. The entire castle and park were free to him.

Q Who solely was responsible for these measures concerning the High

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Government officials?

A Amt. 4.

Q I have no further questions.

THE SD.

DR. GAWLIK: I have a few questions.

BY DR. GAWLIK:

Q What were the activities, goals and duties of the SD ofAmt. 3 and 6 in Holland, Norway and Denmark?

A They were required to carry out the duties of the functional order.

Q Did the SD offices 3 and 6 in Holland, Denmark and Norway have any executive powers whatever?

A No.

Q You spoke of prisoners of the Security Police in Denmark. Under whose jurisdiction were these prisoners - the Security Police or the SD.

A It was only a matter of the Police.

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Q I present to you document 526-PS, US-502, which concerns the actions and happenings in the Tortefjord. In this it says that the Fuehrer order was carried out by the SD. Could you tell me what is understood under SD?

A Since this concerns executive measures, it is without a doubt the security police which is being referred to since the Wehrmacht or Army very often did confuse the 2 units.

Q I present to you now document D-649, GB-208, concerning a judgment in Norway and among other things, it mentions an Obersturmbannfuehrer Blomberg of the SD. In this document it is stated that the SD was handling all captured enemy commandos, that the SD kept them and that they were shot later by the SD.

A Obersturmbannfuehrer Blomberg, if I remember correctly, was commander of the SD and Security Police in Bergen. I don't know the other name and therefore I do not know whether it concerns men of the SD or the Security Police.

DR. GAWLIK: I have no further questions.

CROSS - EXAMINATION

BY LT. CMDR. HARRIS:

Q When were you born?

A On 14 February 1912.

Q And what was your occupation before you entered the Security Police?

A I had completed my studies as a judicial researcher and then attempted to attain the post as a judge in various official circles, then was accepted by the Security Police.

Q What were the requirements of being appointed as a judge from the standpoint of Party affiliations, if any?

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A You did not need any political background at all. All you needed was your examination as a judge. The same was necessary in order to achieve the position of a higher administrative official in the Security Police. I attempted to get a job with the post office, the justice department, or the police department, and the requirements were the same at each place.

Q Did you join the Party before or at the same time or after you got a job with the Security Police?

A I already stated that on 1 December 1932 I entered the Party as a student.

Q You testified that you were, from 1940 to September 1943, in the main office of the Reich Security Haupt Amt, is that right?

A Yes.

Q And of what department?

A I had group IV-D-4.

Q Were you in charge of that section?

A Yes.

Q Can you explain how it is that in the division of the work of Amt VI-A, as of 1 January 1943, SS Major Baetz was chief of that section?

A I was the successor of Baetz. I believe that from September 1940 to February 1941, both of us worked in that office in order for me to get acquainted with it, and after that, I took over alone. A special job was created for Regierungsrat Baetz, wherein he was supposed to take care of all matters concerning the foreign workers in Germany.

Q You were head of that office only after February, 1941, is that right?

A Yes, that's correct.

Q Now, returning to the situation in Norway for a moment. What were the criminal actions that Terboven ordered the Gestapo to carry out in Norway that

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caused you to submit a report to Amt III.

A I was in Berlin and here Bormann could not get me any orders.

LT. CMDR. HARRIS: Interpreter, you must have made a mistake.

INTERPRETER: What was the question again, I didn't get it.

BY LT. CMDR. HARRIS:

Q I believe you testified that the Gestapo in Berlin submitted a report to Amt III concerning the criminal actions to Terboven.

A It was, first of all, concerned with his personal activities and background which created quite a bit of a sensation in Norway. We considered it a bad influence on German interests and security. Because of some sabotage acts, he ordered the shooting of hostages and the burning of an entire town through a commando raid. Another order -- I don't know whether or not this was carried out -- was to have all the ski huts burnt because they served as shelter for enemy agents.

Q He ordered the Gestapo in Norway to carry out these criminal acts, is that right?

A Yes, he forced the Gestapo to carry out measures which the Gestapo, as a unit, considered wrong.

Q You say that one of the things that he ordered the Gestapo to do was to burn down houses and buildings, is that right?

A In regard to this I can only say that he ordered it. Whether or not it was carried out by the Gestapo, the Order Police, or the Army, I don't know. We were only afraid that through these measures, an increased resistance movement would be created, especially since in this part of Norway, food was a very scarce item and it hit the population quite hard.

Q Of course you recognize that the burning of these houses in this indiscriminate fashion was criminal, didn't you?

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A I did not say that I considered it a criminal act. I only said that I considered it wrong. I didn't give a judgment otherwise.

Q Another thing that he did was to order Norwegian murders as a matter of reprisal, didn't he?

A I stated that he had ordered the shooting of Norwegians as a counter measure, but I didn't give any judgment.

Q But without regard as to whether the persons murdered were actually the ones who committed the acts of sabotage.

A We were of the standpoint, basically, that only the persons who could be proved to be guilty should be shot since we considered the shooting of hostages harmful to our reputation. May I answer this more explicity?

Q Just answer the question -- you have not answered the question yet.

A If I may put this question together, you asked me whether or not basically I considered this shooting as criminal, is that correct?

Q No, I don't think so. Perhaps it should be read back to you.

(German stenographer reads question.)

A That is correct, and that is what we were fighting against.

Q And another thing that you opposed was the deporting of people from their homes into concentration camps without regard for their personal criminal responsibility?

A That's correct.

Q Another thing was the killing of hostages?

A Yes.

Q And was torture included in those things which you objected to?

A Yes, because we considered only that in the scope of the so-called Verschaerfte Vernehmung, these officers were allowed to act. . .

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Q To the extent that the Gestapo carried out these things in Norway, they did at the order of Terboven?

A Yes.

Q Why did you submit this report to Amt III?

A Since Amt III in the most part took care of the basic political questions in the occupied territories, and it was the political situation which was mostly concerned with this point.

Q Did Amt III give you information from time to time of the political situation to serve as a basis for the work of the Gestapo in these territories?

A Yes.

Q Who appointed Terboven, do you know?

A Hitler.

Q You say this report was presented by Amt III to Himmler. Was the report given to any other department or official of the government?

A I don't know.

Q Now, you said that you were opposed to this terrorism carried out in Norway. Do you mean that you, as an individual, were the one opposed?

A No, I personally did not have any executive or important decisions. By that I mean that it was opposed to by the Chief of the Amt IV, who signed all these reports himself.

Q Do you mean Boehmer?

A No, Gruppenfuehrer Mueller.

Q And Mueller signed this report at your request?

A Yes.

Q You don't know whether he talked with Kaltenbrunner about that or not?

A I only know that if Kaltenbrunner came to me about any matters, it went to a higher office.

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Q In addition to these terroristic acts which the Gestapo had been ordered to perform in Norway, there was a further difference between Mueller and Terboven, wasn't there?

A I don't know what you mean by that question.

Q As a matter of fact, Mueller was incensed at Terboven for giving orders to the Gestapo which he felt should come from him?

A It was the unhappy organization of the police in all the Western occupied countries since they never were under an individual command, whereas the Reichscommissar, the Higher SS and Police Leaders, and also the Army were able to give orders.

Q But Mueller particularly objected to the fact that Terboven was giving orders to the Gestapo which he felt he should give.

A No, Mueller did not agree with the orders of Terboven, and he was only angry for that reason, since Terboven also was able to give orders to the Gestapo.

CAPT. TUBRIDY: Could we take a recess at this point?

(A short recess was taken.)

BY LT. CMDR. HARRIS:

Q Returning to the situation of Denmark. It was the 29th of August, 1943, when the Danish government ceased to function, is that right?

A Yes.

Q And the first part of September, you and Mildner went to Copenhagen?

A I believe the state of emergency was declared on 29 August.

Q That's what I said. And you and Mildner went to Copenhagen in the first part of September?

A Yes.

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Q And Mildner was the chief of the Sipo and SD?

A Yes.

Q And you were the head of Abteilung IV of the Gestapo?

A Yes.

Q Now, was there, at that time, a higher SS and Police Leader in Denmark?

A If I remember correctly, he came shortly after us.

Q And that was Pancke?

A Yes.

Q As a matter of fact, Pancke came to Denmark about 1 November 1943?

A That could be correct.

Q And Mildner was replaced by Bovensiepen on or about 5 January 1944?

A Yes.

Q Now, one of the first tasks which was done was the deportation of the Danish communists?

A Yes.

Q That was done at a time when you and Mildner were the only Police representatives for the Security Police in Denmark?

A Yes.

Q And that was done on the orders of the Amt IV in the RSHA?

A Yes.

Q And you and he carried out these orders?

A Yes.

Q Now, the action against the Jews was carried out in September also?

A I believe so.

Q And at that time, you and Mildner were still the only police security officials in Denmarks? That is, Pancke had not come yet?

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A Yes.

Q Now, Eichmann was at all times, and during this time, in charge of the section IV-B-4, RSHA?

A Yes.

Q And as such, he had the responsibility of handling matters concerning the Jews for the Gestapo?

A Yes.

Q And Eichmann sent his representative, Guenther, to Copenhagen to direct this evacuation of the Jews?

A Yes.

Q And you and Mildner were required to assist him in that action by reason of your positions?

A Yes. I protested to Berlin but I had to carry out these orders.

Q The basic orders came from Amt IV in Berlin?

A From theoffice of Eichmann which, in my opinion, was a special section, or took a special place.

Q When you protested against this action against the Danish Jews, to what office in the RSHA did you send your protests?

A The Standartenfuehrer Mildner flew especially to Berlin to prevent this deportation, and he went to chief Mueller. He and Mueller together sent a teletype message to the Reichsfuehrer SS and Mildner returned to me. After Mildner returned, we received an order from the Reichsfuehrer SS to carry out the deportation and at the same time, Sturmbannfuehrer Guenther arrived and two battalions of police were designated to carry out the job.

Q Now, the order from Himmler that the anti-Jewish actions were to be started immediately was sent through the chief of the security Police and SD, wasn't it?

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A Yes, that's probable.

Q And you recall that the action was not a success?

A Yes.

Q Do you recall that Mueller ordered Mildner to make a report explaining the reasons for the partial failure of the plan?

A That is possible, but I cannot remember the report because Mildner took care of all these things personally.

Q During this whole period, of course, deportations of persons accused of illegal activity towards the Germans went on?

A These deportations continued since Hitler had personally prohibited the continuation of the courts in Denmark. That is, even the SS and Field Courts.

Q And so it was your unfortunate task to have to arrest these persons, Danish citizens, and send them without trial or sentence into Germany for incarceration in concentration camps?

A It was my duty to arrest these Danish citizens that were actively taking part in the actions against German interests, such as espionage and ~~sabotage~~ sabotage,

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A First, after the investigation had been finished and the person had been found to be guilty, persons were continued to be kept in confinement in Denmark and when the deportation was ordered, then those persons which were considered to be criminals, that is, those persons who would have received death sentences, or other very strong punishment, that these people were then deported.

Q Now according to the Danish report on this subject, a total of 6104 Danes were sent to German concentration camps or to prisons in Germany, do you think that is a correct figure?

A That is possible.

Q Now I want to pass to this order of counter of counter sabotage, clearing murders? Now you understand that by clearing murders means that where a German was killed some person in like status from Denmark was in turn killed?

A Yes.

Q And by this counter sabotage was meant similar acts, namely, that where a plant producing goods for Germany was destroyed by Danish citizens that in turn a Danish plant was sabotaged.

A. I know all of those things, but I want to point out especially they were measures not carried out by the Gestapo.

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Q That is what I want to find out, you do know, don't you, that Hannecken was called to the Fuehrer Headquarters on the 30th of December, 1943?

A Yes

Q And do you know who was present at that meeting?

A If I remember correctly Dr. Best and General Von Brauchitch.

Q According to the Danish report on this matter and the interrogations, especially of Hannecken, there were were present at this meeting, in addition to those you named, Himmler, Kaltenbrunner, Keitel, Jodl & Schmundt?

A That wasn't our job. I was only interested in the persons that came from Denmark.

Q Now, you know that directly following this conference Mildner was removed and Bovensiefen was placed in charge of the security police and the SD because Mildner had not purused a sufficiently aggressive attitude in carrying out counter sabotage?

A That is what Mildner told me after his return from Berlin.

Q Mildner went down there with Hannecken at that time?

A No, I think that was another meeting.

Q What then were the orders that Hannecken received as told to you and Bovensiefen when he got back from Berlin?

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A I personally did not participate in these discussions between Bovensiefen and Hannecken.

Q You were told though what the orders were by Bovensiefen?

A Yes, Bovensiefen told me that according to an order of Hitler that the acts of sabotage by the Danish against German industry were supposed to be met with similar acts against Danish industry.

Q That is without regard to responsibility?

A Yes.

Q And this was to be done by the German police?

A Yes, at first it was supposed to be carried out by the German police but we protested against it.

Q As I stated already we protested, but not in December. We did have to carry out such order since it came very suddenly from the Headquarters and he wanted it to be carried out almost immediately, and evidently Bovensiefen did not see any other way out. I thereupon went to the Gruppenfuehrer Mueller at Berlin, and I reached through this visit the conclusion in fact that from the home army those matters specifically mentioned were to be carried out, that is according to specific orders.

Q Had to be carried out by the Gestapo?

A No, not by the Gestapo but by the special troops of commandos.

H0993-0028

Q Now was that incident which you were required to carry out the murder of Kaz Munk?

A No, it was the shooting of three members of a sabotage group.

Q Mildner ordered the murder of Kaj Munk, didn't he?

A He ordered that later.

Q Do you know who he used to carry out that order?

A He already had a group from Skorzeng under ~~xxxxx~~ Hamptsturmfuehrer Schwent, and it was those that carried it out.

Q Now was Mildner under ~~xxxxxxxxx~~ Schwent?

A I do not know exactly the name of the commission since they usually changed very often, but I know that he took care of the matters that usually concerned Amt IV.

Q That is exactly the point. These men were sent up by courts sitting from Amt IV, weren't they?

A Yes.

Q Now that group was called the Peter Group because it's head was Peter?

A That is possible. That at least was the code name under which the group worked.

Q Now they came to Denmark about January, 1944?

A I do not know the exact date because in the beginning I was not told of this action.

H0993-0029

Q Well it was about that time?

A That is possible.

Q Now you were required to maintain list of intellectuals and of politically suspect persons, weren't you?

A At that time we did not have any such lists, but the matter later on developed. The method was about as follows: Bovensiefen, upon his taking over the job in Denmark, declared that such a list had to be, this so-called "A" list had to be created and the same kind of a list was already present in the Reich itself. It was a list of persons who could be arrested in time of crisis and he did not tell us he intended to use this list for these reasons.

Q Did he also have you prepare a list of key industries which were producing for Denmark and not for the German war industry?

A No, however, I was shown during a previous interrogation through Danish officers, that Bovensiefen did received or had such a list made up by the Ministry of Armament.

Q Then you turned it over to Bovensiefen so that he used that list that you complied for this special commando group that carried out these murders.

A Yes, as I was told later on.

H0993-0030

Q Now what do you know about the order from Kaltenbrunner to Bovensiefen around April 1st to arrange a large scale action in some provincial town, perhaps Arrhus?

A I cannot give any personal information concerning this, and especially at that time I had some personal difficulties with Bovensiefen especially about this point, and due to that fact he did not inform me of these things. I did first hear of this measure later on but I don't know whether Kaltenbrunner was assisting.

Q Do you know how many acts of terrorism were carried through of this kind by the Peter group?

A I do not know. We usually received reports of these actions, together with regular sabotage reports and we saw immediately it could not have been a Danish act of sabotage, and later on we heard about it from Bovensiefen. Most of the employees did not know of this.

Q Well, even the Danish people recognized that these murders were being carried out by the Germans? You are not trying to say that the members of the Gestapo up there didn't realize that, are you?

A You misunderstood me, of course the men of this action knew about it, but they were not told of it previously, that is from the top.

H0993-0031

Q Now, on this removal of the police, ~~Hannecken~~ Hannecken was the one who administered that, wasn't he?

A Yes.

Q And do you know with whom, whether Hannecken or with whom Hannecken conferred in Berlin, or whether he conferred with anybody in Berlin about these people being killed?

A If I remember correctly his attitude or ~~I was~~ told he ~~himself~~, went directly to the Reichsfuehrer in Berlin.

Q Then how was this action made known to you and Bovensiefen?

A For two days before the start, that is about when the answer from the Fuehrer Headquarters already was expected, so that we did not have any influence whatsoever in the carrying out of this action, since the order was already on it's way.

Q But I say, from what source were you informed, were you informed from Mueller, as head of Amt IV, about the order after it was issued?

A From Hannecken.

Q And what correspondence or communication took place then between your office in Copenhagen and the Reichsfuehrer office in Berlin?

A We could not have any correspondence whatsoever since Hannecken had made us declare that we would keep this order absolutely secret, especially since he wanted

H0993-0032

to carry out this action during the time that Dr. Best was not present.

Q Yes, but these Danish policemen were sent to concentration camps in Germany. Therefore, you must have contacted Amt IV sometime.

A No, we couldn't do that. An order of preparation had already been made by Hannecken to the Reichsfuehrer. We did not know that the ship was supposed to leave on the day they were arrested.

Q In other words, Hannecken, made arrangements with Himmler and presumably Kaltenbrunner and Muller when he was in Berlin, and therefore it wasn't necessary for you to contact Mueller, is that it?

A That is true since it was an action for disarmament of armed forces and it was carried out by them. It was the only argument to take out these men which we considered necessary for security investigations and also those whose files we desired to obtain.

Q Yes, but it was only the Gestapo that had the basic authority to commit people to concentration camps, wasn't it?

A Yes, but the Reichsfuehrer also could send people to concentration camps.

Q And it was your task to prepare the list of police who were to be arrested?

H0993-0033

A No, there were no lists made at all. The order police just acted like the individual police departments and just arrested those policemen necessary at that time, that is why we considered the action as nonsense.

Q Did you provide a supervisoral personnel for the order police after they carried out this action?

A With each order police commando, that is, with each group, they arrested a certain police station group, and with each one of these groups a member of the security police went in order to secure the files and all other material that was in the police station at the time, and since there was military action it was especially provided that the command was in the hands of the order police since there was a possibility of resistance, and it was only the duty of the security police officers to say which files and what matters within the house were to be secured.

Q And also to screen them for those that should be held for further examination?

A Yes, but there were only a few of those, and they were not important.

Q And how did you enforce the order, if it was an order, that only those under 55 should be shipped?

A Afterwards myself and my comrades went into the habbor and found a large number of Danish police acquaintences. We first of all selected the leading police personnel with whom we had worked and then

H0993 - 0034

we decided after speaking with these ~~xxxxxxxxxxx~~ men on this one measure, that is, undertook to select these people out, because the order had just been received that these people were to be shipped the same day, and we had thought that these officers would remain in Denmark for sometime ~~yet~~ yet.

Q In other words, you had authority to remove these officers after they were in the custody of the order police?

A We went to Hannecken and asked him would he permit such a selection and part of it he approved, and the other measures we just did on our own. We received one similar order which we acted upon.

Q What was the position of the Waffen SS in Denmark?

A The Danish Waffen SS was under Hannecken.

Q I mean the German Waffen SS, that was under Hannecken?

A I can think of no unit of the German Waffen SS which was stationed in Denmark with the exception of the Peter Group. Yes, I remember there were some units stationed at one time in Juttland, and also there were some Estonian units on the Island Fynn.

Q Now did you ever attempt any third degree interrogations?

A No.

H0993 - 0035

Q Didn't you consider it a part of your duties to inspect ~~xx~~ some of these interrogations to see to it that they were conducted according to the directives?

A I was an administrative official and these things had to be carried out by ~~xx~~ executive officials.

Q You were head of the Gestapo in Copenhagen and it was your responsibility that these third degree interrogations be carried out property.

A It was my duty to tell the executive officers to watch things constantly and to stick to the rules, and in addition to that it was impossible for me as a section chief to interest myself in individual cases.

Q Now who did you assign to carry out the third degree interrogation of this Colonel Timroth that you mentioned?

A There was the expert criminal commisar Wiese and the man who was taking care of that at the time, criminal secretary Elbert. I was told by these two men that during this interrogation it would be possible to find out certain military organizations within Denmark and especially the organization that had killed just a short time before those German soldiers, and if there was no other possibility of receiving this information I would permit that kind of interrogation to go on. After this organization had been discovered there was an attack on the schellhaus, during which Colonel Timroth could have

H0993-0036

escaped but he did not and that is proof that he was not treated very badly.

Q What was Colonel Timroth's position?

A If I remember correctly he had a military organization and he was chief of the group of Copenhagen.

Q I mean what was his ~~xix~~ legitimate position?

A A Lieutenant Colonel.

Q In the Danish army?

A In the Danish army.

Q He was an army officer?

A Yes.

Q Well now, let me read to you just shortly some of the things that Colonel Timroth had ~~xxxxx~~ happen to him ~~xx~~ when he was a prisoner in the Shcellhaus, and this is taken from the official Danish Government report and it says:

"I was at once chained to the foot of an iron bedstead by means of the handcuffs and a piece of chain and two Gestapo men immediately began to examine me. sometimes both of them were speaking at once. One of them was Kriminalrat Weise; I never managed to find out the name of the other one; his manner was most objectionable, he was being sarcastic and provacitive."

H0993-0037

I will skip a few lines and begin again:

"At a certain hour in the evening when Weise had been away for some time, he came in and took out of a cupboard a cane the thickness of a finger, and about a yard long with a winding at one end. Leaving the room with the cane in his hand he said: "I have got some hard work to do." Later, perhaps an hour afterwards, he returned with the cane and started questioning me about Frit Danmark, and I gathered that they had been flogging Mr. Prior and ascertained discrepancies between our statements. (Mr Prior was working for "Frit Danmark") He (Weisse) now released me from the bed, ordered me to take off my coat, and having been handcuffed again I was forced to take up the attitude of one touching the floor with the finger-tips without bending his knees. He kept turning and twisting me about until he had got me into the position most convenient for him and then started caning me, raising the stick above his head, with both hands before each stroke, like a workman using a pick axe.

"When the examination ended at about 2:45 am I was in such a condition that I almost could not speak. I was conducted to a cell in the house prison in the attics, and Weise took leave of me in the following words:
"Well, you are tired now, but we will continue tomorrow, if you aren't going to speak up, I'll cane you again."

H0993-0038

Is that the approved Gestapo method of treating army officers?

A I only can say the following statement: Through the Organization which was under the command of Timroth fifty soldiers who were marching along the street where shot in the back from a gas station. Weise was a very distinguished person who only went with reluctance to any of these third degree interrogations. I also found out later on that Weise had very often talked to Ober Lieutentant Timroth while some special meal was being prepared for Colonel Timroth, who had some kind of a sickness. I, therefore, did not suppose that anything happened which went over the directives or over the so-called third degree interrogation. Of course, things like that do not sound very well in a case like that, but as I have already stated we only did things like that after very careful consideration.

Q As a matter of fact Weise in giving that beating to Timroth didn't violate the directive, did he?

A I would not say that since I ~~xxx~~ do not know what Mr. Weise has to say about this, but as it stands now I would say it was over the so-called third degree interrogation.

LIEUTENANT HARRIS: No further questions.

H0993 - 0039

REDIRECT EXAMINATION

BY DR. GAULIK:

Q I only have a few ~~xxxxxx~~ short questions.

Did among these measures of the Gestapo, which you protested against, that is, the shooting of hostages and burning down of villages, where these methods within the goal and activity of the Gestapo?

A I only can say the following: We did not want any of these measures for the following reasons: Any person that had politically desired to fight against Germany and connect himself with the resistance was immediately under the military command of the army. In other words, he was a soldier and only acted under his orders. The only way it could be prevented is by arresting him personally and removing him from ~~xxxxx~~ his field of action, but he was not influenced by the shooting of hostages and burning down of villages. In other words, the second possibility was only that the political reasons for such resistance movements were to be removed by a sensible ~~xxxxxxxxxxxxx~~ ~~xxxxGermanyx~~ policy. All other measures/~~xxxxxxxxxxxxx~~ harmed ~~xxxxx~~ Germany.

Q Did the Gestapo participate in the order of deportation from Denmark?

A I don't know how much the chief of the Amt IV knew about this order which came directly from Hitler

H0993-0040

before it was carried out.

xx It was always a problem that the higher SS and police leaders could take their problems directly to the Reichsfuehrer and SS and and in doing that we went over the heads of the Reichfuehrer main office and the RSHA.

Q If you had heard at that time concerning the treatment of Colonel Timroth got during this interrogation, what would you have done during that time?

A I was not disciplinary chief of these ~~flags??~~ acts However, I would have passed on this information to a person, to an investigator.

Q For what reason would you have passed this on to the investigator?

A For disciplinary action.

No further xx questions.

(The commission adjourned until 1400 hours)

Com A
Take 3, page 17
Cook
27 June 1946
Hoffman

The foregoing is a true and correct ~~transcript~~ transcript of the testimony of KARL HEINZ HOFFMAN taken on 27 June, 1946

Alice Mahan.
Reporter (p 1-14)

Pilar A. Abreu
Reporter (p 15-23)

Rose W Cook
Reporter (p 24-39)

~~CERTIFIED TO:~~
CERTIFIED TO:

Joseph F Tubridy
Commissioner

Commissioner.

H0993 - 0042

OFFICIAL TRANSCRIPT OF TESTIMONY FOR THE DEFENSE OF ORGANIZATIONS, TAKEN BEFORE A COMMISSION APPOINTED BY THE INTERNATIONAL MILITARY TRIBUNAL PURSUANT TO PARAGRAPH 4 OF THE ORDER OF THE TRIBUNAL DATED 13 MARCH 1946.

COMMISSIONER:

Captain Joseph Tubridy.

THE GESTAPO

(THE COMMISSION CONVENED AT 1000 HOURS.)

DR. KARL HEINZ HOFFMANN, a witness, took the stand and testified as follows:

CAPTAIN TUBRIDY: The witness is to be reminded that he is still under oath?

THE WITNESS: Yes sir.

CAPTAIN TUBRIDY: Proceed with the witness, Dr. Merkel.

DIRECT EXAMINATION RESUMED

MR. LANOIRE: I wish to make a declaration before the direct interrogation of the witness is continued.

Yesterday the witness brought up questions which interest the French prosecution insofar as they concern the activity of the Gestapo in the occupied countries of the West.

After having spoken yesterday of Denmark, the witness is to make a statement today of facts which interest Holland, Norway and France itself. I cannot proceed to the cross examination of the witness without having beneath my eyes a complete transcript of his deposition and without having consulted the delegates of the Danish, Netherlands and Norwegian Governments. The American prosecution is ready to counter-question the witness without delay on a certain number of questions.

I ask you for my part to give me three days for the preparation of my file and to have the witness recalled at the end of that period.

I believe I can add that the Counsel of the Gestapo has no objection to the postponement.

CAPTAIN TUBRIDY: The only element that might interfere with the postponement is the question of time. We are short on time and there is no

H0993-0043

guarantee that the witness will be here next week. With that in mind, I don't see any objection to the request.

DR. MERKEL: I have no objections to the proposal.

CAPTAIN TUBRIDY: Does any one want to question the witness further? Commander Harris, do you want to question the witness further?

COMMANDER HARRIS: The witness is still on direct examination.

BY DR. MERKEL:

Q What were the duties, goals and activities of the Befehlshaber of the Security Police in Holland and Norway? In order to make it short, you can state that the duties, actions and goals of this organization was about the same as they were in Denmark, which has been already described.

A It was to keep up law and order and to secure law and order and also to guard the German army and German interests.

Q Was there also a Befehlshaber or commander of the Order Police in Holland and Norway?

A Yes.

Q What were his duties?

A It was his duty to take care of the interests of the Ordinary Police.

Q Under whose jurisdiction was the higher SS police leader in Holland and Norway and what were his duties?

A He was directly under the Reichsfuehrer SS and Reichskommissar. It washis duty to combine all police questions.

Q Did the military command in Holland and Norway have any jurisdiction to give orders to the Gestapo in Holland and Norway?

A In case of martial law being declared when these areas became areas of operation, yes. In order to prevent that the Reichskommissar in Holland and Norway created what was called the civilian martial law, which gave them the power.

Q I have only a few specific questions concerning Holland. Was there an order of the Reichsstadthalter in Holland, which forbade the arrest of Netherland citizens by German police officers and how long was that law in effect?

A After the march into Holland people that had been found by the army

H0993 - 0044

were arrested. When the Security Police moved in the Reichskommissar annoynced that only with his approval could persons be arrested. At that tim there was hardly a basis to arrest anyone. I left Holland in September of 1940 and I believe that this law was rescinded in November of that same year and the first resistance movement became apparent.

Q Were the Security Police forces in Holland smaller than before?

A Yes, there was an order of Heydrich, which he gave while personally in Holland in September of 1940 because they did not figure on any kind of riots.

Q What was the opinion of the Security Police concerning this matter?

A The Security Police believed that this belief of no trouble would be found to be wrong within a short time. During this reduction of forces in Holland, the commanders of the Security Police were recalled and liaison officers or outside branches created.

Q Were any hostages shot in Holland?

A I know from my later activities in Berlin either in 1942 or 1943 hostages were shot. This request was made from the army and the Reichskommiss Security Police Office. Berlin protested against this shooting of hostages and we reported in that manner to the Fuehrer's headquarters.

Q After the intervention were no more hostages shot later on?

A I suppose that due to these protests no hostages were shot.

Q Were the shootings themselves carried out by the Security Police?

A I cannot say.

Q Why and when was civilian martial law declared in Holland?

A This martial law was created in Amsterdam and Rotterdam because of attacks on German police.

Q Were there any concentration camps in Holland?

A As far asI know there was a concentration camp at Hertogenbosch.

Q Under whose administration was this concentration camp?

A The inspector of the concentration camp at Oranienburg.

Q Was that the office of the Security Police?

A No.

Q Under whose command was this office?

H0993 - 0045

A The SS - W.V.H.

Q Was that in other words an organization of the SS?

A Yes.

Q How did the deportation of the Jews in Holland start? How was it?

A I cannot say anything about this, because the only thing I heard about this deportation was from the monthly reports.

Q Do you know anything about the confiscation of Jewish property by the Security Police?

A I cannot give you any information concerning that from my own knowledge.

Q Were there any sharp interrogations?

A It was necessary to receive the O.K. for the approval of such interrogations from the chief of Amt. 4. I know there were four or five during my time, since after they had been approved and taken care of, these reports were placed in my safe. After this right of approval was directed to the Befehlshaber, I do not know what happened after that.

Q On Page 3327 of the German transcript is the following: "A prisoner a priest who was beaten to death with a rubber hose" - that is concerning Holland. Do you know anything concerning this?

A I cannot say anything concerning this from my own experience, but I don't consider it possible, because this case would have had to be reported to Berlin.

Q On Page 3519 of the German transcript, it reads that all the Netherland Jews, who were caught by the Germans, were put in the Concentration Camp Westerborg and deported slowly from that camp to Poland. What do you know about that?

A All of these matters were taken care of by the special commission, Eichmann. He never informed us of any of his work. The only thing I know about the deportation, was what I learned about the already completed deportations in the monthly reports.

Q On Page 3615 of the German transcript, it states that summary court powers were given to the police officers direct by the Reichsstadthalter?

H0993 - 0046

Was the security police connected in any way with this matter?

A I cannot give you any information concerning this. Either I forgot about it, or it was given out after I left Berlin.

Q How were the laborers selected within Holland for Germany?

A That was taken care of through the Labor Einstz administration or the Labor Usage administration.

Q Was that an office of the Security Police?

A No.

Q Under whose jurisdiction was it?

H0993-0047

A The Reich Ministry of Labor, in other words the Reichskommissar for Labor Sauckel.

Q Were any persons who refused to work arrested by the Security Police in Holland?

A As long as I was in Holland this was forbidden and when I was in Berlin I never heard that this order was rescinded.

Q Only a few more questions concerning Norway. In the Document UF 79 - RF 213, the following is mentioned on page 21. "Reichskommissar Terboven was directly under the jurisdiction of Hitler and received his orders and directives from him." Is that correct?

A Yes.

Q These police were under the command of the I.A.S.H.A. in Berlin, but also received orders from Terboven and the matter created quite a bit of friction?

A I can only describe these relations as follows: The RSHA in Berlin could give orders to the Security Police insofar as these orders were not in opposition to the orders given by the Reichskommissar, since the Reichskommissar was directly under the jurisdiction of Hitler and the other officers could not give him any sort of a directive. If the RSHA wanted to remove or recall any order of Terboven, the only way this could be done was by the direct order of Hitler. The only other possibility was when the Reichsfuehrer SS, either through a direct letter or conversation, attempted to change the mind of the Reichskommissar, however, this was usually very hard since Terboven was a very stubborn person.

Q Did the Gestapo have the possibility in Norway not to carry out the orders of Terboven?

A It was practically impossible. The only possibility was for the Security Office in Norway to inform the RSHA and then the Reichsfuehrer SS would attempt to bring about a change of directives.

Q I present to you Document PS 8704-7281, it is a report of Terboven to Hitler concerning sabotage acts in Oslo shipyards. 11-1 He states: "According to the opinion of Himmler and Kaltenbrunner any kind of counter terror would not bring the desired result." What can be said for the policy of the Security Police?

H0993 - 0048

A The Gestapo, due to technical reasons, did not approve of the counter terror and only saw bad influence or bad results for German interests.

Q Is it correct that some of the measures of the Norwegian Government made it necessary for the Security Police to intervene and do you know of any specific details?

A In Norway, due to the activities of some National Socialistic groups the Government brought about measures which only made the situation worse. For instance, the National Socialistic Government forced the Norway teachers to join a teachers' association. During this measure, Terboven ordered the now famous "deportation of teachers" to Northern Norway. That brought about a partial use of the Security Police. The same thing was the problem in the Norway Johrt quarrels.

Q Is it true that the Gestapo tried to prevent some of the orders of Terboven due to regular police policies and ideas?

A I suppose you mean the Gestapo?

Q Yes.

A From the time I was in Berlin -- 1940 to 1943 -- we, of the RSHA in Berlin attempted to stop and slow down the shooting of hostages in Norway and at times it was possible to stop the shooting of hostages through the efforts of the Fuehrer. Through the activities and political influence of Terboven it was never possible to bring about a final solution..

Q Did the Gestapo ever request that Terboven be recalled from Norway and why?

A Due to the policy of Terboven the resistance movement became more and more in evidence, and due to that we combined all the information and facts we had about Terboven and that was sent to the Reichsfuehrer SS. We requested that Terboven be recalled. In this report, we not only gave his personal impossible actions, but also his political decrees which were against German interests. The entire material was presented to Amt. 3 and I believe they sent it to the Reichsfuehrer SS. The SD in this case supported entirely the request of the Gestapo.

Q What was done in Norway concerning the orders of Terboven to burn down entire villages in Norway?

A We also requested in continued reports to the Fuehrer's headquarter

H0993 - 0049

that these measures be stopped.

Q Did you have any results?

A I believe yes.

Q Did the Gestapo bring any Norwegian prisoners to Germany in order

H0993-0050

to take them out of the jurisdiction of Terboven?

A I remember three cases, the Police President of Oslo, a judge by the name of York and one third case. Since the Gestapo considered it unnecessary that these people were arrested and since Terboven refused to set these people free, the Gestapo took these prisoners to Germany and there freed them.

Q In what way were mistreatments of prisoners become known in the headquarters of the RSHA in Berlin?

A Through the white Norwegian book in London.

Q What was then done by the Gestapo?

A The matters were investigated by Amt IV. It was found out that the person responsible for this was a certain criminal officer by the name of Fehmer, who found a personal aid in Terboven. Amt IV requested from Amt I that Fehmer be recalled and disciplined. I don't know what happened later on, as I was transferred.

Q On page 3458 of the German transcript is a statement by the witness, Wappelen, who has been heard before this Tribunal and he stated that he was mistreated severely by a criminal commissar, Fehmer. Is that the same Fehmer about whom you are talking and what was done to prevent a reoccurrance of these matters?

A I believe that this case too was written up in the White Book and I can add nothing to what I have already said.

Q Was it among the goals, activities and duties of the Gestapo to carry out such mistreatments?

A I can only say here the same thing I said concerning Denmark.

Q In other words?

A I can only say that with the exception of the known decrees concerning the hard interrogations that all other mistreatments were legal and punishable.

Q Is it true that an expert of Amt 3 travelled through Norway on an official trip and what was the reaction of Terboven when he heard of this trip?

A A Professor Frankenberg of Amt III was ordered to leave Norway upon the order of Terboven, who did not like his presence in Norway and he was even threatendd with arrest.

H0993-0051

Q Who was responsible for the deportation of Jews in Norway?

A Also a measure of the staff of Eichmann.

Q Do you know who ordered and carried out the confiscationof Jewish property in Norway?

A I do not know anything from my own knowledge.

Q Was the confiscation of radios ordered in Norway and by whom?

A Terboven ordered the confiscation of radios The protests of the RSHA were without results concerning this measure, but it was possible to prevent such orders as the confiscation of radios in other countries where they had radi s.

Q What Amt of the RSHA was connected with this?

A Amt 4.

Q In the same document already mentioned, UK 794, F 233, dated July 20, 1944, several prisoners were taken out of the concentration camp at Gvini and were shot without trial. The reason for the shooting is still unknown, however, considering the date, it is possible that the Gestapo had ordered the shooting as a revenge measure because of the attack on Hitler's life?

A I was not in Berlin anymore and therefore cannot give you any information.

Q Who was responsible for the labor service in Norway?

A The Labor Office was under the Reichskommissar for Labor Recruitment, Sauckel.

Q On Page 33 of thesame Document, it states that the orders concerning the confiscation of property and finances main[illegible] hit the persons that fled from Norway in order to escape arrest [illegible] the Gestapo?

A I can remember regularly such an order was given out by Terboven.

Q Now, the last point. That is the arrest and treatment of the high Government political officers of France by the Gestapo. What persons do you know about?

A Concerning this, I mention: Weygand, Gamelin, Prime Minister Reneaux, Leon Blum, Daladier, the chief of the General Secretarial of the French Unions Leon Jouhau plus seventy other Generals and high Government

H0993-0052

Q Who was responsible for the deportation of Jews in Norway?

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Q On Page 33 of thesame Document, it states that the orders concerning the confiscation of property and finances mainly hit the persons that fled from Nowway in order to escape arrest [illegible] Gestapo?

A I can remember regularly such an order was given out by Terboven.

Q Now, the last point. That is the arrest and treatment of the high Government political officers of France by the Gestapo. What persons do you know about?

A Concerning this, I mention: Weygand, Gamelin, Prime Minister Reneaux, Leon Blum, Daladier, the chief of the General Secretarial of the French Unions Leon Jouhau plus seventy other Generals and high Government

H0993-0053

officers.

Q Under whose order did this deportation start and how was it carried out?

A The arrest and deportation was carried out on the orders of the Reichsfuehrer evidently in connection with the Foreign Minister. the RSHA did not have any previous knowledge.

H0993-0054

Q. What was the point of view of the Gestapo concerning this problem ?

A. First of all Minister Reynaud and Minister Mandel, whom I forgot to mention before, on orders of the Reichsminister were ordered to be kept in prison cells. The Gestapo contacted the SS in France and they were also of the opinion that these men should not be housed in prison cells. After a long discussion it was possible to convince the Reichsfuehrer to order a better place of detainment. Prime Minister Reynaud first came to a little billet in Oranienberg and then to Castle Itter. Minister Mandel and Prime Minister Blum were kept in a village within the village of Buchenwald, while all the other French officers were kept at Castle Itter. They were all kept in a position and conditions equal to the respect of their positions.

The seventy French Generals and high Government officials were sent to Hotel Forrelle near Innsbruck. They received additional food allowance as well as certain advantages and had no restricted package and mail service. Prime Minister Reynaud and Secretary Jouhaux were permitted to keep their secretary's with them while they were in confinement so that they could keep up their work. Prime Minister Blum was permitted to marry during his confinement and she was permitted to live with him. Another General was sent to Castle Garlitz in Mecklenburg and later on his wife was permitted to live with him. The entire castle and park were free to him

Q. Who solely was responsible for these measures concerning the High Government officials ?

A. Amt. 4.

Q. I have no further questions.

THE SD

DR. GAWLIK: I have a few questions.

BY DR. GAWLIK:

Q. What were the activities, goals and duties of the SD of Amt 3 and 6 in Holland, Norway, and Denmark ?

H0993-0055

A. They were required to carry out the duties of the functional order.

Q. Did the SD offices 3 and 6 in Holland, Denmark and Norway have any executive powers whatever ?

A. No.

Q. You spoke of prisoners of the Security Police in Denmark. Under whose jurisdiction were those prisoners - the Security Police or the SD ?

A. It was only a matter of the Police

Q. I present to you document 526-PS, US-502, which concerns the actions and happenings in the Tortefjord. In this it says that the Fuehrer order was carried out by the SD. Could you toll me what is understood under SD ?

A. Since this concerns executive measures, it is wihout a doubt the security police which is being referred to since the Wehrmacht or Army very often did confuse the 2 units.

Q. I present to you now document D-649 , GB-208, concerning a judgment in Norway and among other things, it mentions a n Obersturmbannfuehrer Blomberg of the SD. In this document it is stated that the SD was handling all captured enemy commandos, that the SD kept them and that they were shot later by the SD.

A. Obersturmbannfuehrer Blomberg, If I remmber correctly, was commander of the SD and Security Police in Bergen. I don't know the other name and therefore I do not know whether it concerns men of the SD or the Security Police.

DR. GAWLIK: I have no further questions.

CROSS EXAMINATION

BY LT. CMDR. HARRIS:

Q. When were you born ?

A. On 14 February 1912.

Q. And what was your occupation before you entered the Security Police ?

H0993-0056



A. I had completed my studies as a judicial researcher and then attempted to attain the post as a judge in various official circle then was accepted by the Security Police.

Q. What were the requirements of being appointed as a judge fro the standpoint of Party affiliations, if any ?

H0993-0057



A You did not need any political background at all. All you needed was your examination as a judge. The same was necessary in order to achieve the position of a higher administrative official in the Security Police. I attempte to get a job with the post office, the justice department, or the police department, and the requirements were the same at each place.

Q Did you join the Party before or at the same time or after you got a job with the Security Police?

A I already stated that on 1 December 1932 I entered the Party as a studer ent Q You testified that you were, from 1940 to September 1943, in the main office of the Reich Security Haupt Amt, is that right?

A Yes.

Q And of what department?

A I had group 1V-D-4.

Q Were you in charge of that section?

A Yes.

Q Can you explain how it is that in the division of the work of Amt V1-A, as of 1 January 1943, SS Major Baetz was chief of that section?

A I was the successor of Baetz. I believe that from September 1940 to February 1941, both of us worked in that office in order for me to get aquainted with it, and after that, I took over alone. A special job was created for Regierungsrat Baetz, wherein he was supposed to take care of all matters concerning the foreign workers in Germany.

Q You were head of that office only after February, 1941, is that right?

A Yes, that's correct.

Q Now, returning to the situation in Norway for a moment. What were the criminal actions that Terboven ordered the Gestapo to carry out in Norway that caused you to submit a report to Amt 111.

A I was in Berlin and here Bormann could not get me any orders.

LT CMDR HARRIS: Interpreter, you must have made a mistake.

INTERPRETER: What was the question again, I didn't get it.

BY LT, CMDR. HARRIS:

Q I believe you testified that the Gestapo in Berlin submitted a report to Amt 111 concerning the criminal actions to Terboven.

A It was, first of all, concerned with his personal activities and back-

H0993-0058



ground which created quite a bit of a sensation in Norway. We considered it a bad influence on German interests and security. Because of some sabotage acts, he ordered the shooting of hostages and the burning of an entire town through a commando raid. Another order -- I don't know whether or not this was carried out -- was to have all the ski huts burnt because they served as shelter for enemy agaents.

Q He ordered the Gestapo in Norway to carry out these criminal acts, is that right?

A Yes, he forced the Gestapo to carry out measures which the Gestapo as a unit, considered wrong.

Q You say that one of the things that he ord red the Gestapo to do was to burn down houses and buildings, is that right?

A In regard to this I can only say that he ordered it. hether or not it was carried out by the Gestapo, the Order Police, or the Army, I don't know. We were only afraid that through these measures, an increased resistance movement would be created, especially since in this part of Norway, wood was a very scarce item and it hit the population quite hard.

Q Of course you recognize that the burning of these houses in this indiscriminate fashion was criminal, didn't you?

A I did not say that I considered it a criminal act. I only said that I considered it wrong. I didn't give a judgment otherwise.

Q Another thing that he did was to order Norwegian murders as a matter of reprisal, didn't he?

A I stated that he had ordered the shooting of Norwegians as a counter measure, but I didn't give any judgemert.

Q But without regard as to whether the persons murdered were actually the ones who committed the acts of sabotage.

A We were of the standpoint, basically, that only the persons who could be proven guilty should be shot since we considered the shooting of hostages harmful to our reputation. May I answer this more explicity?

Q Just answer the question -- you have not answered the question yet.

A If I may put this question together, you asked me, whether not basically I considered this shooting as criminal, is that correct?

Q No, I don't think so. Perhaps it should be read back to you.

(German stenographer reads question.)

A That is correct, and that is what we were fighting against.

Q And another thing that you opposed was the deporting of people from their homes into concentration camps without regard for their personal criminal responsibility?

A That's correct.

Q Another thing was the killing of hostages?

A Yes.

Q And was torture included in those things which you objected to?

A Yes, because we considered only that in the scope of the so-called Verschaerfte Vernehmung, these officers were allowed to act. . .

H0993-0060

Q To the extent that the Gestapo carried out these things in Norway, they did at the order of Terboven?

A Yes.

Q Why did you submit this report to Amt III?

A Since Amt III in the most part took care of the basic political questions in the occupied territories, and it was the political situation which was mostly concerned with this point.

Q Did Amt III give you information from time to time of the political situation to serve as a basis for the work of the Gestapo in these territories?

A Yes.

Q Who appointed Terboven, do you know?

A Hitler.

Q You say this report was presented by Amt III to Himmler. Was the report given to any other department or official of the government?

A I don't know.

Q Now, you said that you were opposed to this terrorism carried out in Norway. Do you mean that you, as an individual, were the one opposed?

A No, I personally did not have any executive or important decisions. By that I mean that it was opposed to by the Chief of the Amt IV, who signed all these reports himself.

Q Do you mean Boehmer?

A No, Gruppenfuehrer Mueller.

Q And Mueller signed this report at your request?

A Yes.

Q You don't know whether he talked with Kaltenbrunner about that or not?

A I only know that if Kaltenbrunner came to me about any matters, it went to a higher office.

Q In addition to these terroristic acts which the Gestapo had been ordered to perform in Norway, there was a further difference between Mueller and Terboven, wasn't there?

A I don't know what you mean bythat question.

Q As a matter of fact, Mueller was incensed at Terboven for giving orders to the Gestapo which he felt should come from him?

H0993-0061

A It was the unhappy organization of the police in all the Western occupied countries sincethey never were under an individual command, whereas the Reichscommissar, the Higher SS and Police Leaders, and also the Army were able to give orders.

Q But Mueller particularly objected to the fact that Terboven was giving orders to the Gestapo which he felt he should give.

A No, Mueller did not agree with the orders of Terboven, and he was only angry for that reason, since Terboven was also able to give orders to t Gestapo.

CAPT. TUBRIDY: Could we take a recess atthis point?

(A short recess was taken)

BY LT. CMDR. HARRIS:

Q Returning to the situation of Denmark. It was the 29th of August, 1943, the Danish Government ceased to function, is that right?

A Yes.

Q And the first part of September, you and Mildner went to Copenhagen?

A I believe the state of emergency was declared on 29 August.

Q That's what I said. And you and Mildner went to Copenhagen in the first part of September.

A Yes.

Q And Mildner was the chief of the Sipo and SD?

A Yes.

Q And you were the head of Abteilung IV of the Gestapo?

A Yes.

Q Now, was there at that time, a higher SS and Police Leader in Denmark?

A If I remember correctly, he came shortly after us.

Q And that was Pancke?

A Yes.

Q As a matter of fact, Pancke came to Denmark about 1 November 1943? That could be correct.

Q And Mildner was replaced by Bovensiepen on or about 5 January 1944?

A Yes.

H0993-0062

Q Now, one of the first tasks which was done was the deportation of the Danish communists?

A Yes.

Q That was done at a time when you and Mildner were the only Police representatives for the Security Police in Denmark?

A Yes.

Q And that was done on the orders of the Amt IV in the RSHA?

A Yes.

Q And you and he carried out these orders?

A Yes.

Q Now, the action against the Jews was carried out in September also?

A I believe so.

Q And at that time, you and Mildner were still the only police security officials in Denmark? That is, Pancke had not come yet?

A Yes.

Q Now, Eichmann was at all times, and during this time, in charge of the section IV-B-4, RSHA?

A Yes.

Q And as such, he had the responsibility of handling matters concerning the Jews for the Gestapo?

A Yes.

Q And Eichmann sent his representative, Guenther, to Copenhagen to direct this evacuation of the Jews?

A Yes.

Q And you and Mildner were required to assist him in that action by reason of your positions?

A Yes. I protested to Berlin but I had to carry out these orders.

Q The basic orders came from Amt IV in Berlin?

A From the office of Eichmann which, in my opinion, was a special section, or took a special place.

Q When you protested against this action against the Danish Jews, to what office in the RSHA did you send your protests?

A The Standartenfuehrer Mildner flew especially to Berlin to prevent

H0993-0063

this deportation, and he went to chief Muéller. He and Mueller together sent a teletype message to the Reichsfuehrer SS and Mildner returned to me. After Mildner returned, we received an order from the Reichsfuehrer SS to carry out the deportation and at the same time, Sturmbannfuehrer Guenther arrived and two battalions of police were designated to carry out the job.

Q Now, the order from Himmler that the anti-Jewish actions were to be started immediately was sent through the chief of the security Police and SD, wasn't it?

H0993-0064

A Yes, that's probable.

Q And you recall that the action was not a success?

A Yes.

Q Do you recall that Mueller ordered Mildner to make a report explaining the reasons for the partial failure of the plan?

A That is possible, but I cannot remember the report because Mildner took care of all these things personally.

Q During this whole period, of course, deportations of persons accused of illegal activity towards the Germans went on?

A These deportations continued since Hitler had personally prohibited the continuation of the courts in Denmark. That is, even the SS and Field Courts.

Q And so it was your unfortunate task to have to arrest these persons, Danish citizens, and send them without trial or sentence into Germany for incarceration in concentration camps?

A It was my duty to arrest these Danish citizens that were actively taking part in the actions against German interests, such as espionage and sabotage.

A First, after the investigation had been finished and the person had been found to be guilty, persons were continued to be kept in confinement in Denmark and when the deportation was ordered, then those persons which were considered to be criminals, that is, those persons who would have received death sentences, or other very strong punishment, that these people were then deported.

Q Now according to the Danish report on this subject, a total of 6104 Danes were sent to German concentration camps or to prisons in Germany, do you think that is a correct figure?

A That is possible.

Q Now I want to pass to this order of counter of counter sabotage, clearing murders? Now you understand that by clearing murders means that where a German was killed some person in like status from Denmark was in turn killed?

A Yes.

Q And by this counter sabotage was meant similar acts, namely, that where a plant producing good for Germany was destroyed by Danish citizens that in turn a Danish plant was sabotaged.

H0993-0065

A I know all of those things, but I want to point out especially they were measures not carried out by the Gestapo.

Q That is what I want to find out, you do know, don't you, that Hannecken was called to the Fuehrer Headquarters on the 30th of December, 1943?

A Yes.

Q And do you know who was present at that meeting?

A If I remember correctly Dr. Best and General Von Brauchitch.

Q According to the Danish report on this matter and the interrogations, especially of Hannecken, there were present at this meeting, in addition to those you named, Himmler, Kaltenbrunner, Keitel, Jodl & Schmundt?

A That wasn't our job. I was only interested in the persons that came from Denmark.

Q Now, you know that directly following this conference Mildner was removed and Bovensiefen was placed in charge of the security police and the SD because Mildner had not pursued a sufficiently aggressive attitude in carrying out counter sabotage?

A That is what Mildner told me after his return from Berlin.

Q Mildner went down there with Hannecken at that time?

A No, I think that was another meeting.

Q What then were the orders that Hannecken received as told to you and Bovensiefen when he got back from Berlin?

H0993-0066

A I personally did not participate in these discussions between Bovensiefen and Hannecken.

Q You were told though what the orders were by Bovensiefen?

A Yes, Bovensiefen told me that according to an order of Hitler that the acts of sabotage by the Danish against German industry were supposed to be met with similar acts against Danish industry.

Q That is without regard to responsibility?

A Yes.

Q And this was to be done by the German police?

A Yes, at first it was supposed to be carried out by the German police but we protested against it.

Q As I stated already we protested, but not in December. We did have to carry out such order since it came very suddenly from the Headquarters and he wanted it to be carried out almost immediately, and evidently Bovensiefen did not see any other way out. I thereupon went to the Gruppenfuehrer Mueller at Berlin, and I reached through this visit the conclusion in fact that from the home army those matters specifically mentioned were to be carried out, that is according to specific orders.

Q Had to be carried out by the Gestapo?

A No, not by the Gestapo but by the special troops of commandos.

Q Now was that incident which you were required to carry out the murder of Kax Munk?

A No, it was the shooting of three members of a sabotage group.

Q Mildner ordered the murder of Kaj Munk, didn't he?

A He ordered that later.

Q Do you know who he used to carry out that order?

A He already had a group from Skorzeny under Hauptsturmfuehrer Schwent, and it was those that carried it out.

Q Now was Mildner under Schwent?

A I do not know exactly the name of the commission since they usually changed very often. But I know that he took care of

H0993-0067

the matters that usually concerned Amt IV.

Q That is exactly the point. These men were sent up by courts sitting from Amt IV, weren't they?

A Yes.

Q Now that group was called the Peter Group because it's head was Peter?

A That is possible. That at least was the code name under which the group worked.

Q Now they came to Denmark about January, 1944?

A I do not know the exact date because in the beginning I was not told of this action.

Q Well it was about that time?

A That is possible.

Q Now, you were required to maintain list of intellectuals and of politically suspect persons, weren't you?

A At that time we did not have any such lists, but the matter later on developed. The method was about as follows: Bovensiefen, upon his taking over the job in Denmark, declared that such a list had to be, this so-called "A" list had to be created and the same kind of a list was already present in the Reich itself. It was a list of persons who could be arrested in time of crisis and he did not tell us he intended to use this list for these reasons.

Q Did he also have you prepare a list of key industries which were producing for Denmark and not for the German war industry?

A No, however, I was shown during a previous interrogation through Danish officers, that Bovensiefen did receive or had such a list made up by the Ministry of Armament.

Q Then you turned it over to Bovensiefen so that he used that list that you complied for this special commando group that carried out these murders.

A Yes, as I was told later on.

H0993-0068

Q. Now what do you know about the order from Kaltenbrunner to Bovensiefen around April 1st to arrange a large scale action in some provincial town, perhaps Arrhus?

A. I cannot give any personal information concerning this, and especially at that time I had some personal difficulties with Bovensiefen especially about this point, and due to that fact he did not inform me of these things. I did first hear of this measure later on, but I don't know whether Kaltenbrunner was assisting.

Q. Do you know how many acts of terrorism were carried through of this kind by the Peter group?

A. I do not know. We usually received reports of these actions, together with regular sabotage reports, and we saw immediately it could not have been a Danish act of Sabotage, and later on we heard about it from Bovensiefen. Most of the employees did not know of this.

Q. Well, even the Danish people recognized that these murders were being carried out by the Germans? You are not trying to say that the members of the Gestapo up there didn't realize that, are you?

A. You misunderstand me, of course then men of this action knew about it, but they were not told of it previously, that is from the top.

Q. Now, on this removal of the police, Hannecken was the one who adminstered that, wasn't he?

A. Yes.

Q. And do you know with whom, whether Hannecken or with whom Hannecken conferred in Berlin, or whether he conferred with anybody in Berlin about these people being killed?

A. If I remember correctly, his attitude--or I was told he himself went directly to the Reichsfuehrer in Berlin.

Q. Then how was this action made known to you and Bovensiefen?

A. For two days before the start, that is about when the answer from the Fuehrer Headquarters already was expected, so

H0993-0069

that we did not have any influence whatsoever in the carrying out of this action, since the order was already on its way.

Q. But I say, from what source were you informed, were you informed from Mueller, as head of Amt IV, about the order after it was issued?

A. From Hannecken.

Q. And what correspondence or communication took place then between your office in Copenhagen and the Reichsfuehrer office in Berlin?

A. We could not have any correspondence what soever since Hannecken had made us declare that we would keep this order absolutely secret, especially since he wanted to carry out this action during the time that Dr. Best was not present.

Q. Yes, but those Danish policemen were sent to concentration camps in Germany. Therefore, you must have contacted Amt IV sometime.

A. No, we couldn't do that. An order of preparation had already been made by Hannecken to the Reichsfuehrer. We did not know that the ship was supposed to leave on the day they were arrested.

Q. In other words, Hannecken, made arrangements with Himmler and presumably Kaltenbrunner and Muller when he was in Berlin, and therefore it wasn't necessary for you to contact Mueller, is that it?

A. That is true, since it was an action for disarmament of armed forces and it was carried out by them. It was the only argument to take out these men which we considered necessary for security investigations and also those whose files we desired to obtain.

Q. Yes, but it was only the Gestapo that had the basic authority to commit people to concentration camps, wasn't it?

A. Yes, but the Reichsfuehrer also could send people to concentration camps.

Q. And it was your task to prepare the list of police who were to be arrested?

H0993-0070

A No, there were no lists made at all. The order police just acted like the individual police departments and just arrested those policemen necessary at that time, that is why we considered the action as nonsense.

Q Did you provide a supervisoral personnel for the order police after they carried out this action?

A With each order police commando, that is, with each group, they arrested a certain police station group, and with each one of these groups a member of the security police went in order to secure the files and all other material that was in the police station at the time, and since there was military action it was especially provided that the command was in the hands of the order police since there was a possibility of resistance, and it was only the duty of these security police officers to say which files and what matters within the house were to be secured.

Q And also to screen them for those that should be held for further examination?

A Yes, but there were only a few of those, and they were not important.

Q And how did you enforce the order, if it was an order, that only those under 55 should be shipped?

A Afterwards myself and my comrades went into the harbor and found a large number of Danish Police acquaintances. We first of all selected the leading police personnel with whom we had worked and then we decided after speaking with these men on this one measure, that is, undertook to select these people out, because the order had just been received that these people were to be shipped the same day, and we had thought that these officers would remain in Denmark for sometime yet.

Q In other words, you had authority to remove these officers after they were in the custody of the order police?

A We went to Hannecken and asked him would he permit such a selection and part of it he approved, and the other measures we just did on our own. We received one similar order which we acted upon.

Q What was the position of the Waffen SS in Denmark?

A The Danish Waffen SS was under Hannecken.

H0993-0071

Q I mean the German Waffen SS, that was under Hannecken?

A I can think of no unit of the German Waffen SS which was stationed in Denmark with the exdeption of the Peter Group. Yes, I remember there were some units stationed at one time in Juttland, and also there were some Estonian units on the Island Fynn.

Q Now did you ever attempt any third degree interrogations?

A No.

Q Didn't you consider it a part of your duties to inspect some of these interrogations to see to it that they were conducted according to the directives?

A I was an administrative official and these things had to be carried out by executive officials.

Q You werehead of the Gestapo in Copenhagen and it was your responsibility that these thifd degree interrogations be carried out properly.

A It was my duty to tell the executive officers to watch things constantly and to stick to the rules, and in addition to that it was impossible for me as a section chief to interest myself in individual cases.

Q Now who did you assign to carry out the third degree interrogation of this Colonel Timroth that you mentioned?

A There was the expert criminal commissar Hese and the man who was taking care of that at the time, criminal secretary Elbert. I was told by these two men that during this interrogation it would be possible to find out certain military organizations with Denmark and especially the organization that had killed just a short time before those German soldiers, and if there was no other possibility of receiving this information I would permit that kind of interrogation to go on. After this organization had been discovered there was an attack on the schellhaus, during which Colonel Timroth could have

H0993-0072

escaped but he did not and that is proof that he was not treated very badly.

Q What was Colonel Timroth's position?

A If I remember correctly he had a military organization and he was chief of the group of Copenhagen.

Q I mean what was his legitimate position?

A A Lieutenant Colonel.

Q In the Danish army?

A In the Danish army.

Q He was an army officer?

A Yes.

Q Well now, let me read to you just shortly some of the things that Colonel Timroth had happen to him when he was a prisoner in the Shcellhaus, and this is taken from the official Danish Government report and it says:

"I was at once chained to the foot of an iron bedstead by means of the handcuffs and a piece of chain and two Gestapo men immediately began to examine me. Sometimes both of them were speaking at once. One of them was Kriminalrat Weise; I never managed to find out the name of the other one; his manner was most objectionable, he was being sarcastic and provocative."

I will skip a few lines and begin again:

"At a certain hour in the evening when Weise had been away for some time, he came in and took out of a cupboard a cane the thickness of a finger, and about a yard long with a winding at one end. Leaving the room with the cane in his hand he said: "I have got some hard work to do." Later, perhaps an hour afterwards, he returned with the cane and started questioning me about Frit Danmark, and I gathered that they had been flogging Mr. Prior and ascertained discrepancies between our statements. (Mr. Prior was working for "Frit Danmark") He (Weisse) now released me from the bed, ordered me to take off my coat, and having been handcuffed again I was forced to take up the attitude of one touching the floor with the finger-tips without bending his knees. He kept turning and twisting me about until he had got me into the position most convenient for him and then started caning me, raising the stick above his head, with both hands before each stroke, like a workman using a pick axe.

H0993-0073

"When the examination ended at about 2:45 am I was in such a condition that I almost could not speak. I was conducted to a cell in the house prison in the attics, and Weise took leave of me in the following words: "Well, you are tired now, but we will continue tomorrow, if you aren't going to speak up, I'll cane you again.'

Is that the approved Gestapo method of treating army officers?

A I only can say the following statement: Through the Organization which was under the command of Timroth fifty soldiers who were marching along the street were shot in the back from a gas station. Weise was a very distinguished person who only went with reluctance to any of these third degree interrogations. I also found out later on that Weise had very often talked to Ober Lieutenant Timroth while some special meal was being prepared for Colonel Timroth, who had some kind of a sickness. I, therefore, did not suppose that anything happened which went over the directives or over the so-called third degree interrogation. Of course, things like that do not sound verywell in a case like that, but as I have already stated we only did things like that after very careful consideration.

Q As a matter of fact Weise in giving that beating toTimroth didn't violate to the directive, did he?

A I would not say that since I do not know what Mr. Weise has to say about this, but as it stands now I would say it was over to so-called third degree interrogation.

LIEUTENANT HARRIS: No further questions.

H0993-0074

REDIRECT EXAMINATION

BY D R. GAWLIK:

Q. I only have a few short question.

Did among these measures of the Gestapo, which you protested against, that is, the shooting of hostages and burning down of villages, where these methods within the goal and activity of the Gestapo ?

A. I only can say the following : We did not want any of these measures for the following reasons : any person that had politically desired to fight against Germany and connect himself with the resistance was immddiately under the military command of the army. In other words, he was a soldier and only acted under his orders. The only way it could be prevented is by arresting him personally and removing him from his field of action, but he was not influenced by the shooting of hostages and burning down of villages. In other words, the second possiblity was only that the political reasons for such resistance movements were to be remove by a sensible German policy. All other measures harmed Germany.

Q. Did the Gestapo participate in the order of deportation fro Denmark ?

A. I don't know how much the chief of the Amt IV know about this order which came directly from Hitler before it was carried out.

It was alsways a problem that the higher SS and police leaders could take their problems directly to the Reichsfuehrer and SS and in doing that we went over the heads of the Reichsfuehrer main office and the RSHA.

Q. If you had heard at that time concerning the treatment of Colonel Timroth got during this interrogation, what would you hav done during that time ?

A. I was not disciplinary chief of these acts. However, I wou have passed on this information to a person, to an investigater.

Q. For what reason would you have passed this on to the investigator.?

H0993-0075

A. For disciplinary action.

Q. No further questions.

(The Commission adjourned until 14 00 hours)

The foregoing is a true and correct transcript of the testimony of KARL HEINZ HOFFMAN taken on 27 June 1946.

Alice Meehan
reporter

Pilanii A Ahuna
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CERTIFIED TO:

Joseph F. Tubridy

H0993-0076

Amtliche Niederschrift der Zeugenaussagen ueber angeklagte Organisationen vor der vom Internationalen Militaergerichtshof, am 13. Maerz 1946 gemaess Paragraph 4, ernannten Kommission.

Donnerstag, den 27. Juni 1946 10.00-

Beauftragter: Capt.Tubridy:

Organisation: Gestapo

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(Wiedervernehmung des Zeugen Dr.Karl HOFFMANN)

CAPT.TUBRIDI: Sie wissen, dass Sie noch unter Eid stehen.

ZEUGE: Jawohl.

CAPT.TUBDRIDY: Herr Dr.Merkel, fahren Sie mit der Befragung fort.

MR.LAMOIRE: Ehe wird mit dem direkten Verhoer des Zeugen weiterfahren, moechte ich folgendes sagen.

Gestern hat der Zeuge Fragen beantwortet, die die franzoesische Anklage stark interessieren, soweit es die Arbeit der Gestapo in den besetzten Gebieten des Westens betrifft.

Nachdem gestern der Zeuge ueber Daenemark gesprochen hat, soll der heute ueber die Tatsachen in Holland, Norwegen und Frankreich sprechen. Ich kann mit dem Kreuzverhoer dieses Zeugen nicht anfangen, bis ich das komplette Protokoll vor mir habe und bis ich mit den Delegierten von Daenemark, Holland und Norwegen gesprochen habe. Die amerikanische Staatsanwaltschaft ist bereit, dem Zeugen sofort eine gewisse Anzahl von Fragen zu stellen.

Ich frage deshalb, ob ich drei Tage Zeit bekommen kann zur Vorbereitung fuer meine Akten und ob der Zeuge nach dieser Zeit wieder zurueckgerufen werden kann.

Ich hoffe, dass der Anwalt fuer die Gestapo nichts gegen diesen Vorschlag einzuwenden hat.

CAPT.TUBRIDY: Ich glaube nicht, dass irgend etwas gegen diesen Vorschlag einzuwenden ist. Allerdings bei der sehr kurzen Zeit, die uns zur Verfuegung steht, kann ich nicht garantieren, dass der Zeuge naechste Woche noch einmal hier sein wird. Gegen den Vorschlag an und fuer sich ist nichts einzuwenden.

DR.MERKEL: Ich habe nichts dagegen einzuwenden.

CAPT.TUBRIDY: Wer fachrt mit der Befragung des Zeugen fort ? Lt.Harris, wollen Sie den Zeugen ins Kreuzverhoer nehmen ?

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Lt.HARRIS: Der Zuege ist noch im direkten Verhoer.

DURCH DR.MERKEL:

F: Welches waren die Aufgaben, Ziele und Taetigkeiten des Befehlshabers der Sicherheitspolizei in Holland und Norwegen ? Um das Verhoer abzukuerzen, koennen Sie sagen, dass die Aufgaben, Ziele und Taetigkeiten im Prinzip dieselben waren, wie Sie diese bereits fuer Daenemark geschildert haben ?

A: Es war die Aufrechterhaltung der Ruhe und Ordnung und die Sicherheit und der Schutz der deutschen Wehrmacht und der deutschen Interessen.

F: Gab es auch einen Befehlshaber der Ordnungspolizei in Holland und Norwegen ?

A: Ja.

F: Was waren seine Aufgaben ?

A: Seine Aufgabe war, die ordnungspolizeilichen Interessen wahr zu nehmen.

F: Wem unterstand der hoehere SS- und Polizeifuehrer in Holland und Norwegen und was war seine Aufgaben ?

A: Er unterstand dem Reichsfuehrer SS unmittelbar und gleichzeitig dem Reichskommissar. Seine Aufgabe war, alle polizeilichen Fragen zusammenzufassen.

F: Hatte der Militaerbefehlshaber in Holland und Norwegen Weisungsbefugnis an die Gestapo?

A: Bei der Verhaengung des militaerischen Ausnahmezustandes, beispielsweise, wenn diese Gebiete im Falle Opperationsgebiete wurden, ja. Um dieses zu verhindern, schufen die Reichskommissare in Holland und Norwegen den sogenannten zivilen Ausnahmezustand, der ihm diese Befehlsgewalt vorbehielt.

F: Ich habe noch einige spezielle Fragen zu dem Gebiet Holland. Bestand ein Verbot des Reichsstatthalters in Holland, hollaendische Staatsangehoerige durch deutsche Polizeiorgane festnehmen zu lassen und wie lange dauerte dieser Zustand ?

A: Nach dem Einruecken der deutschen Truppen in Holland, sind Leute, nach denen von deutscher Seite gefahndet wurde, durch die Wehrmacht festgenommen worden. Nach dem Einruecken der Sicherheitspolizei erwog der Reichskommissar zunaechst , dass das Festnehmen nur mit seiner Genehmigung durchgefuehrt werden durfte. Zu diesem Zeitpunkt lag sicher auch kein Grund vor, zur Durchfuhrung von Festnahmen. Ichhabe Holland im September 1940 verlassen und darnach ist offenbar diese Bestimmung aufgehoben worden, nach dem sich im November bereits die ersten Anzeichen der

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Widerstandsbewegung zeigten.

F: Sollten die sicherheitspolizeilichen Kraefte in Holland verringert werden ?

A: Jawohl, das war ein Befehl, den Heydrich anlaesslich seiner Anwesenheit anfangs September persoenlich in Holland gegeben hatte, weil man nicht mit Unruhen irgendwelcher Art rechnete.

F: Wie war die Einstellung der Sicherheitspolizei zu diesem Verlangen ?

A: Die Sicherheitspolizei nahm an, dass sich diese Annahmen in kuerzester Zeit als unrichtig erwiesen wuerden. Im Zuge dieser Umorganisation wurden die Kommandeure der Sicherheitspolizei abberufen in Aussenstellen.

F: Sind in Holland Geiseln erschossen worden ?

A: Ich weiss aus meiner Taetigkeit in Berlin, dass zu einem spaeteren Zeitpunkt, ich nehme an 1942 oder 1943 Geiseln erschossen wurden. Diese Forderung wurde von Seiten der Wehrmacht und des Reichskommissars erwogen. Die Sicherheitspolizei erhob gegen die Geiselerschiessungen Einspruch und berichtete dementsprechend an das Fuehrerhauptquartier.

F: Sind auf Grund dieser Intervention spaeter diese Geiselerschiessungen eingestellt worden ?

A: Ich muss mit Sicherheit annehmen, dass hierdurch die Geiselerschiessungen spaeter eingestellt wurden.

F: Waren die Erschiessungen selbst von der Sicherheitspolizei vorgenommen worden ?

A: Das kann ich nicht sagen.

F: Wann und warum wurde der zivile Ausnahmezustand in Holland angeordnet?

A: Der zivile Ausnahmezustand nicht in Holland, sondern in Amsterdam und Rotterdam wurde wegen Angriffe auf deutsche Polizeistreifen verhaengt.

F: Gab es in Holland Konzentrationslager ?

A: Soweit mir bekannt, das Konzentrationslager Hertogenborg.

F: Wem unterstand dieses Konzentrationslager?

A: Dem Inspekteur des Konzentrationslager in Oranienburg.

F: War das eine Dienststelle der Sicherheitspolizei ?

A: Nein.

F: Wem unterstand diese Dienststelle ?

A: Dem SS Wirtschafts- und Verwaltungshauptamt.

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F: War das mit anderen Worten eine Organisation des SS-Fuehrers ?

A: Ja .

F: Wie erfolgte die Deportierung der Juden aus Holland ?

A: Darueber kann ich nichts sagen, weil ich die vollzogenen Deportierungen erst aus den Monatsberichten erfahren habe.

F: Wissen Sie etwas ueber die Beschlagnahme von juedischen oder anderen Eigentum durch die Sicherheitspolizei ?

A: Darueber kann ich aus eigener Anschauung nichts sagen.

F: Erfolgten verschaerfte Vernehmungen in Holland ?

A: Solange diese Vernehmungen vom Amtschef 4 genehmigt werden mussten, sind mir ungefaehr 4 - 5 bekannt geworden, da die Vorgaenge nach Bearbeitung durch den Amtschef in meinem Panzerschrank abgelegt wurden. Nachdem dieses Recht an die Befehlshaber uebergeben war, kann ich aus meiner eigenen Anschauung nichts mehr sagen.

F: Auf Seite 3323 des deutschen Protokolls steht folgendes:" Ein Zeuge hat gesehen, wie ein gefangener Priester mit einem Gummiknueppel zu Tode gepruegelt wurde Es bezieht sich das auf Holland. Ist Ihnen darueber etwas bekannt ?

A: Ich kann hierueber aus eigener Anschauung nichts sagen, halte es auch fuer unmoeglich, da dieser Fall sonst haette bestimmt nach Berlin berichtet werden muessen.

F: Auf Seite 3519 des deutschen Protokolls steht:" Alle hollaendischen Juden deren sich die Deutschen bemaechtigten, wurden im Lager Westerborg zusammengepfercht. Nach und nach wurden die in Westerborg internierten Juden nach Polen transportiert." Koennen Sie darueber etwas sagen ?

A: Alle diese Fragen wurden von der Sonderdienststelle Eichmann bearbeitet und diese hat uns in keiner Weise davon Kenntnis gegeben. Ich habe nur die Tatsache der Deportierung als solche, in den Monatsberichten gelesen.

F: Auf Seite 3615 des deutschen Protokolls ist davon die Rede, dass fuer das gesamte hollaendische Gebiet summarische Justizverfahren der Polizei durch den Statthalter proklamiert wurden. Ist die Sicherheitspolizei an dieser Sache irgenwie beteiligt gewesen ?

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A: Ich kann hierueber nichts sagen, da es entweder meinem Gedaechtnis entfallen ist, oder erlassen wurde, nach dem ich Berlin verlassen habe.

F: Wie erfolgte die Ermittlung der Arbeitskraefte in Holland fuer das Reichsgebiet ?

A: Sie erfolgte durch die Arbeitseinsatzverwaltung.

F: War das eine Dienststelle der Sicherheitspolizei ?

A: Nein.

F: Wem unterstand diese ?

A: Dem Reichsarbeitsministerium, bzw. dem Reichskommissar fuer Arbeitseinsatz Sauckel.

F: Wurden Arbeitsverweigerer durch die Sicherheitspolizei in Holland festgenommen ?

A: Solange ich in Holland war, war es ausdruecklich verboten und ich habe spaeter in Berlin nicht gehoert, dass dieses Verbot aufgehoben wurde.

F: Nun noch einige Fragen ueber den Komplex Norwegen. In dem Dokumentenbuch UK-79 RF 323 ist auf Seite 21 folgendes erwaehnt: "Reichskommissar Terboven unterstand Hitler unmittelbar und erhielt seine Direktiven und Weisungen von ihm." Ist das richtig ?

A: Ja.

F: Auf Seite 22 steht weiterhin:" Die Polizei unterstand tatsaechlich dem Reichssicherheitshauptamt in Berlin, erhielt aber auch Befehle von Terboven, die zu Reibungen fuehrten." Ist das richtig ?

A: Ich kann dieses Verhaeltnis nur wie folgt umreissen: Das Reichssicherheitshauptamt in Berlin konnte der Sicherheitspolizei solange Befehle geben, als diese nicht mit den Weisungen des Reichskommissars kollidierten. Da der Reichskommissar unmittelbar dem Fuehrer unterstand, konnten die Zentralstellen ihrerseits ihm keine Weisungen geben. Wenn das Reichssicherheitshauptamt eine Weisung Terbovens beseitigen wollte, konnte sie dies nur durch eine Herbeifuehrung eines Fuehrerbefehls. Eine zweite Moeglichkeit war, dass der Reichsfuehrer SS in einem persoenlichen Schreiben oder in einer persoenlichen Rueckspreche eine Aenderung der Meinung des Reichskommissars herbeizufuehren suchte. Bei der eigentuemlichen Person Terboven war dies immer ungeheuer schwer.

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F: Hatte die Staatspolizei immer die Moeglichkeit Befehle Terboven's nicht auszufuehren ?

A: Es war praktisch nicht moeglich. Es war nur folgendes Verfahren moeglich, dass die Sicherheitspolizei in Norwegen Berlin unterrichtete und dass das Reichssicherheitshauptamt versuchte eine Entscheidung des Fuehrers bzw. einen Schritt des Reichsfuehrers SS herbeizufuehren.

F: Ich lege Ihnen Dokument PS 870-RF 281 vor. Es ist ein Bericht Terboven an Hitler ueber Sabotageanschlaege in den Oslo'er Werften. In Artikel 2, Ziffer 1 sagt Terboven:" Dass der Gegenterror nach der Auffassung Himmler's und Kaltenbrunner's zu den nachteiligsten Folgen fuehren werde." Welche Einstellung der Sicherheitspolizei zu dem Programm des Gegenterrors spricht aus dieser Wendung ?

A: Die Staatspolizei hatte den Gegenterror aus technischem Gesichtspunkt restlos abgelehnt. Sie sah hier nur schaedliche Wirkungen fuer deutsche Interessen.

F: Ist es richtig, dass einige Massnahmen der norwegischen Regierung Eingriffe der Sicherheitspolizei noetig machten und sind Ihnen Einzelfaelle bekannt ?

A: Auch in Norwegen hat die Taetigkeit nationalsozialistischer Gruppen und Regierungen zu Verhaeltnissen gefuehrt, die die Situation unnoetig verschaerften. In Norwegen zwang die NS-Regierung die norwegischen Lehrer, in einen von ihnen geleiteten Lehrerverband. Im Rahmen dieser Auseinandersetzung ordnete Terboven die bekannte Deportierung der Lehrer nach Nord-Norwegen an. Diese fuehrte wieder zu einem teilweisen Einsatz der Sicherheitspolizei. Aehnlich war das Problem in dem norwegischen Kirchenstreit.

F: Ist es richtig, dass die Staatspolizei Massnahmen Terboven's auf hollaendischem Gebiet zu verhindern suchte ?

A: Ich nehme an, dass Sie die Gestapo meinen ?

F: Ja.

A: Waehrend meiner ganzen Taetigkeit in Berlin von 1940 bis September 1943 versuchten wir, die von Terboven geuebte Praxis von Geiselerschiessungen abzustoppen. In einzelnen Faellen ist es uns durch Berichte an das Fuehrerhauptquartier gelungen, Geiselerschiessungen abzustellen. Durch die Aktivitaet und den Einfluss Terboven's gelang es jedoch nie eine endgueltige Entscheidung herbeizufuehren.

F: Wurde die Abberufung Terboven von der Gestapo in Norwegen gefordert und warum ?

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A: Weil die von Terboven in Norwegen geforderte Politik notwendigerweise immer mehr und mehr zur Widerstandsbewegung fuehren musste, wurde in einem grundsaetzlichen Bericht an den Reichsfuehrer SS alles Material zusammengetragen um die Abberufung Terboven zu erreichen. In diesem Material wurde sowohl sein unmoegliches persoenliches Verhalten, als auch alle seine den deutschen Interessen widersprechenden politischen Handlungen zusammengetragen. Das gesamte Material wurde dem Amt 3 zur Verfuegung gestellt, das soviel ich weiss, den Bericht an den Reichsfuehrer abgesandt hat. Der SD unterstuetzte in diesem Fall vollkommen die Auffassung der Staatspolizei.

F: Was wurde in Bezug auf das von Terboven angeordnete "Niederbrennen der Doerfer" seitens der Staatspolizei in Norwegen unternommen ?

A: In fortlaufenden Berichten an das Fuehrerhauptquartier wurde ebenfalls eine Unterbindung dieser Massnahmen verlangt.

F: Sind irgendwelche Erfolge in dieser Hinsicht erzielt worden ?

A: Ich glaube ja.

F: Sind norwegische Haeftlinge nach Deutschland durch die Gestapo gebracht worden, um sie der Zustaendigkeit Terboven's dadurch zu entziehen ?

A: Ja. Mir sind im ganzen drei Faelle in Erinnerung, der Polizeipraesident von Oslo, ein Advokat York und ein weiterer Fall, dessen Name mir nicht einfiel. Da die Staatspolizei auf dem Standpunkt stand, dass die Haft aufgehoben werden konnte, Terboven sich einer Entlassung widersetzte, wurden sie nach Deutschland ueberfuehrt und dort von uns entlassen.

F: Wie wurden Misshandlungen von Haeftlingen in Norwegen in Berlin beim Reichssicherheitshauptamt bekannt ?

A: Durch das norwegische Weissbuch in London.

F: Was geschah daraufhin von der Gestapo ?

A: Die Verhaeltnisse wurden vom Amt 4 ueberprueft und festgestellt, dass der Schuldige in diesem Falle ein Kriminalrat Fehmer war, der in seinem Verhalten eine persoenliche Stuetze von Terboven gefunden hat. Von Amt 4 wurde die Abberufung und Massregelung von Fehmer beim zustaendigen Amt 1 verlangt. Ueber den Ausgang kann ich nichts mehr sagen, weil ich versetzt wurde.

F: Auf Seite 3468 des deutschen Protokolls ist die Aussage des Zeugen Cappelen niedergelegt, der hier vor Gericht vernommen wurde und angibt, von einem Kriminal

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kommissar Fehmer schwer misshandelt worden zu sein. Ist dieser Fehmer derselbe von den Sie eben sprachen ?

A: Ja.

F: Was wurde veranlasst, um diese Umstaende zu beseitigen ?

A: Ich glaube, dass dieser Fall auch schon in dem Weissbuch gestanden hat und ich nur das sagen kann, was ich eben gesagt habe.

F: Gehoerte es zu den Zielen, Aufgaben und Taetigkeiten der Gestapo in Norwegen, solche Misshandlungen vorzunehmen ?

A: Ich kann hier nur dasselbe sagen, was ich hinsichtlich Daenemark gesagt habe.

F: Mit anderen Worten ?

A: Ich kann nur sagen, dass keine Befehle in dieser Richtung bestanden, dass lediglich die Kann-Vorschrift da war, wenn dadurch deutsche Menschenleben gerettet werden sollten, und alles andere was ungesetzlich war unter Strafe stand.

F: Ist es richtig, dass ein Sachbearbeiter des Reichssicherheitshauptamtes 3 auf Befehl des Chef der Sicherheitspolizei und des SD eine Dienstreise in Norwegen machte und was unternahm Terboven als er davon hoerten ?

A: Professor Frankenberg von Amt 3, dessen Anwesenheit in Norwegen Terboven nicht behagte, wurde aus Norwegen ausgewiesen, und ihm wurde sogar seine Festnahme angedroht.

F: Wer war fuer die Evakuierung der Juden in Norwegen zustaendig ?

A: Das ist auch eine Massnahme des Stabes Eichmann.

F: Wissen Sie wer die Beschlagnahme juedischen Vermoegens in Norwegen angeordnet und durchgefuehrt hat ?

A: Ich kann hieruber aus eigenem Wissen nichts sagen.

Fr: Ist die Beschlagnahme von Rundfunkgeraeten in Norwegen angeordnet worden und von wem ?

A: Die Beschlagnahme der Rundfunkgeraete wurde von Terboven angeordnet. Die Widersprueche hiergegen seitens des Reichssicherheitshauptamtes drangen nicht durch und wir hatten bereits in anderen Laendern, wo auch dieselben Massnahmen porbiert wurden, diese unterbinden koennen.

F: Welches Amt des Reichssicherheitshauptamtes war damit befasst ?

A: Amt 4.

F: Auf Seite 27 und 28 der Beweisurkunde UK 194, F 233 steht folgendes: Etwa

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am 20. Juli 1944 wurde eine Anzahl Norweger aus dem Konzentrationslager Grini herausgeholt und ohne Gerichtsverfahren hingerichtet. Der Grund hierfuer ist bis heute unbekannt. Wohl angesichts des Datums erscheint es nicht ausgeschlossen, um fuer das Attentat auf Hitler Rache zurnehmen.

A: Ich war zu diesem Zeitpunkt nicht in Berlin und kann deshalb nichts aus eigener Anschauung sagen.

F: Wer war fuer den Arbeitseinsatz in Norwegen zustaendig ?

A: Die Arbeitseinsatzverwaltung bezw. der Generalbevollmaechtigte fuer den Arbeitseinsatz Sauckel.

F: Auf Seite 33 derselben Urkunde wird gesagt: Dass Weisungen ueber Beschlagnahme von Vermoegen ergingen von Leuten, die aus dem Lande gegangen sind, weil sie von der Gestapo verfolgt wurden. Ist das richtig ?

A: Ich kann mich daran erinnern, dass von Terboven glaube ich, eine solche Verordnung ergangen ist.

F: Nun noch das letzte Beweisthema, naemlich die Verhaftung und Behandlung der franzoesischen Staatsmaenner durch die Staatspolizei in Frankreich. Um welche Personen handelte es sich ?

A: Es handelte sich um General Weygand, General Gamelin, Ministerpraesident Reynaud, Ministerpraesident Leon Blum, Ministerpraesident Daladier, General - Sekretaer der franzoesische Generaele und hoehere Militaerbeamte.

F: Aus wessen Veranlassung erfolgte die Deportierung ?

A: Die Festnahme und die Deportierung erfolgte auf Weisung des Reichsfuehrers, offenbar in Zusammenarbeit mit dem Auswaertigen Amt. Dem Reichssicherheitshauptamt, war vorher nichts bekannt gewesen.

KOMMISSION I

COMMISSIONER: CAPTAIN TUBRIDY.

STAATSANWALT: LT. HARRIS.

VERTEIDIGER: DR. MERKEL

F: Wie stand die Staatspolizei zu diesem Problem ?

A: Als erstes wurde Herr Ministerpraesident Reynaud und Herr Minister Mandel, welchen ich vorhin vergessen habe, zu erwaehnen, nach Berlin gebracht und der Reichsfuehrer SS ordnete eine Unterbringung in Gefaengniszellen a.

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Die Staatspolizei setzte sich mit dem BDS Frankreich in Verbindung, der der Auffassung war, dass eine Unterbringung in Gefaengniszellen unmoeglich war. Nach langen Bemuehungen gelang es den Reichsfuehrer SS zu ueberzeugen, dass er eine bessere Unterbringung genehmige. Ministerpraesident Reynaud kam zunaechst nach Oranienburg in eine kleine Villa im Rahmen des Lagers und spaeter nach Schloss Itter. Minister Mandel kam in eine kleine Villa im Gelaende Buchenwald. Die anderen Vorgenannten wurden dann alle auf Schloss Itter gebracht, unter Bedingungen die ihrem Rang entsprachen.

Die vorerwaehnten 70 hoeheren franzoesischen Offiziere und Beamten wurden in einem Hotel "Fiorello" in der Nahe von Innsbruck untergebracht.

Sie erhielten erhoehte Lebensmittelrationen und alle sonstigen Annehmlichkeiten einschliesslich unbeschraenkten Post- und Paketverkehr.

Herrn Ministerpraesident Reynaud und dem Gewerksschaft-Sekretaer Jouhau wurde gestattet, dass ihre Sekretaerinnen in der Internierung Aufenhalt teilten, damit sie ihre Arbeit fortsetzen konnten.

Fuer Herrn Premier-Minister Blum wurde die Erlaubnis erwirkt, dass er waehrend der Internierung heiratete und seine Gattin die Inhaftierung mit ihm teilen durfte. General Weygand war auf Schloss Garlitz in Mecklenburg untergebracht und spaeter erhielt auch seine Gattin die Erlaubnis seine Internierungshaft mit ihm zu teilen. Ihm stand das ganze Schloss und der Park zur Verfuegung.

F: Wer war fuer diese Massnahmen in Bezug auf diese Staatsmaenner im Reichsgebiet zustaendig ?

A: Amt IV.

F: Ich habe keine weiteren Fragen mehr.

DR GAWLIK: Ich habe einige Fragen.

Durch Dr.Gawlik:

F: Welches waren die Ziele, Aufgaben und Taetigkeiten des SD der Abteilungen III und VI in Daenemark, Holland und Norwegen ?

A: Die Aufgabengebiete, die ihnen entsprechend des Funktionsbefehles zugewiesen waren.

F: Hatte der SD, Amt III und Amt VII in Dannemark und Norwegen eine Exekutive gehabt

A: Nein.

F: Sie sprachen vorhin von Gefangenen der Sipo und des SD in Dannemark. Wem unterstanden diese Gefangenen der Sipo oder dem SD?

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A: Das war ausschliesslich eine Angelegenheit der Polizei.

F: Ich lege Ihnen das Dokument 526-PS,VS-502 vor. Es betrifft die Aktionen und Handlungen im Toftefjord. In diesem Dokument ist angegeben, dass der Fuehrer-Befeh durch den SD vollzogen wurde. Koennen Sie angeben, was unter SD gemeint ist ?

A: Da es sich offenbar um eine Exkutiv-Massnahme handelt ist hier unter SD Sicherheitspolizei zu verstehen, da die Wehrmacht beide Begriffe sehr oft verwechselte. Ich lege Ihnen nunmehr Dokument D 649, GB 208 vor. Es betrifft ein Urteil von Norwegen. In diesem Urteil wird erwaehnt ein Obersturmbannfuehrer vom SD Hans Wilhelm Blomberg. Es heisst dann weiter, dass Angehoerige alliierter Kommandounternehmen dem SD uebergeben worden sind, von Beamten des SD vernommen wurden und von Mitgliedern des SD hingerichtet wurden. Ich habe nur die englische Ausfertigung.

A: Obersturmbannfuehrer Blomberg war, soviel ich weiss, Kommandeur der Sipo und des SD in Bergen oder Drontheim. Die anderen Namen sind mir unbekannt ich kann nicht sagen, ob es sich um Angehoerige der Sicherheitspolizei oder des SD handelt.

Dr.Gawlik: Danke schoen. Ich habe keine weiteren Fragen mehr.

Kreuzverhoer durch LT. HARRIS.

durch LT.HARRIS:

F: Wann sind Sie geboren ?

A: Am 14. Februar 1912.

F: Was war Ihr Beruf, ehe Sie in die Sicherheitspolizei eingetreten sind ?

A: Ich habe meine Ausbildung als Gerichts-Referendar gemacht und habe mich nach Bestehen des Examens zur Befaehigung zum Richteramtes im Jahre 1937 um eine Anstellung beworben, und kam dann zur Sicherheitspolizei.

F: Was waren die Voraussetzungen, um als Richter ernannt zu werden, soweit es die Parteizugehoerigkeit betrifft ?

A. Dazu brauchte man keinen politischen Hintergrund haben. Man musste sein Examen als Richter haben. Dasselbe war notwendig fuer die Anstellung als hoeherer Verwaltungsbeamter, wie ich bei der Sicherheitspolizei uebernahm.

Ich habe mich beworben bei der Gerichts- Post- und Polizeiverwaltung. Ueberall waren die Voraussetzungen die gleichen.

F. Wann sind Sie der Partei beigetreten, ehe Sie in die Sicherheitspolizei eingetreten sind, zur selben Zeit, oder spaeter?

A. Ich habe bereits dargelegt, dass ich am 1. Dezember 1932 als Student der Partei beigetreten bin.

F. Sie haben ausgesagt, dass Sie von 1940 - 1943 im Reichssicherheitshauptamt waren?

A. Ja.

F. Welche Abteilung?

A. Ich hatte das Referat "Dora4", Gruppe 4.

Ich hatte folgende Aufgaben: .....

F. Hatten Sie diese Abteilung unter sich?

A. Ja.

F. Koennen Sie mir sagen, wie es kommt, dass in Amt VI-A des RSHA am 1. Januar 1943 SS Major Baetz als Chef der Abteilung war?

A. Dieser war mein Vorgaenger und ich war, glaube ich vom September 1940 - Februar 1941 zunaechst zur Einarbeitung dort und anschliessend habe ich das Referat allein gefuehrt. Fuer Regierungsrat Baarz wurde ein Sonderauftrag geschaffen, indem er alle Fragen bearbeiten sollte, die sich mit dem Einsatz auslaendischer Arbeiter befassten.

F. Mit anderen Worten, Sie waren der eigentliche Chef erst nach Februar 1941?

A. Ja, das ist zutreffend.

F. Wir wollen zur Situation in Norwegen fuer einen Moment zurueckgehen.

Was waren die Verbrechen Terbovens, aufgrund deren Sie Berichte an Amt III weitergegeben haben.

A. Die Frage ist mir nicht ganz klar. Ich war damals in Berlin. Terboven konnte mir keine Befehle geben.



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F. Sie haben gesagt, dass die Gestapo in Berlin einen Bericht an Amt III gegeben hat, ueber die kriminellen Handlungen Terbovens.

A. Es handelt sich um zweierlei. Erstens, weil der persoenliche Lebenswandel Terbovens, der ansich unserer Auffassung nach, unmoeglich war und erheblichen Anstoss erregte dazu beitrug, das deutsche Ansehen zu schaedigen. Zweitens um seine Politik auf Sabotagemassnahmen mit der Anordnung von Geiselerschiessungen, Abbrennen von Doerfern bezw. Ski-Huetten zu antworten.

F. Er befahl der Gestapo in Norwegen diese Verbrechen auszufuehren, das stimmt doch?

A. Ja, dass er die Gestapo zu Massnahmen zwang, die die Gestapo als solche fuer falsch hielt.

F. Sie haben gesagt, dass eines der Massnahmen, die er der Gestapo zu tun befohlen hat, das Verbrennen von Haeusern und Gebaeuden war, nicht wahr?

A. Bezueglich dieses kann ich nur sagen, dass er das befohlen hat. Ob das Niederbrennen von Haeusern durch Kraefte der Ordnungspolizei oder durch Kraefte der Sicherheitspolizei oder der Wehrmacht erfolgte, das weiss ich nicht. Wir fuerchteten durch diese Massnahme nur dass eine gesteigerte Widerstandsbewegung ausgeloest werden wuerde, da besonders in diesem Teil Norwegens Holz eine besonders rare Sache war und die Bevoelkerung besonders hart betraf.

F. Sie haben doch zugegeben, dass das Verbrennen von Haeusern ohne irgendwelchen besonderen Grund ausgefuehrt wurde, nicht wahr?

A. Das habe ich keineswegs gesagt. Wir haben diese Massnahme als Gegenmassnahme gegen Sabotage und Erschiessung von Deutschen als falsch angesehen. Eine Wertung habe ich keineswegs gegeben.

F. Etwas anderes. Er hat doch auch den Befehl gegeben, dass Norweger als Gegenmassnahmen ermordet werden sollten.

A. Ich habe gesagt, dass er die Erschiessung von Norwegern angeordnet hat, als Gegenmassnahme von Erschiessung von Deutschen oder aufgrund anderer Sabotageakte. Ich habe mich einer Wertung enthalten.

F. Aber er hat doch keinen groesseren Unterschied gemacht, ob von den Personen, die erschossen wurden, auch tatsaechlich Sabotage

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akte ausgefuehrt wurden?

A. Wir haben grundsaetzlich auf dem Standpunkt gestanden, dass nur der bestraft werden soll, dem eine strafbare Handlung nachgewiesen werden kann. Da wir jede Massnahme gegen Nichttaeter fuer schaedlich und gerecht gehalten haben, haben wir sie abgelehnt. Darf ich diese Frage naeher ausfuehren?

F. Sie haben die Frage noch nicht beantwortet. Beantworten Sie die Frage mit ja oder nein.

A. Ja, Sie haben von mir verlangt .....wenn ich die Frage nochmals zusammenfassen darf, haben Sie mich gefragt, ob ich diese Massnahme als eine verbrecherische angehe?

F. Das ist richtig.

A. Und das haben wir bei ihm bekaempft.

F. Und eine andere Sache, gegen die Sie waren, war die Deportation von Leuten, die aus ihren Heimen in Konzentrationslager verbracht wurden, ohne Rucksicht auf ihre persoenliche verbrecherische Verantwortung?

A. Das ist richtig, ja.

F. Und eine andere war doch die Erschiessung von Geiseln.

A. Ja.

F. Gehoerten Misshandlungen auch zu den Massnahmen, die Terboven befohlen hat und gegen die Sie Einwand erhoben haben?

A. Jawohl, weil wir auf dem Standpunkt standen, nur im Rahmen des verschaerften Vernehmungserlasses duerften die Beamten handeln.

F. Sie wollen sagen, dass diese Befehle, soweit sie von der Gestapo ausgefuehrt worden sind, auf Befehl Terbovens ausgefuehrt wurden?

A. Ja.

F. Warum haben Sie Berichte an Amt II weitergeleitet?

A. Weil das Amt III die grundsaetzlichen politischen Fragen in den besetzten Gebieten bearbeitete und dieses Arbeitsgebiet am meisten betroffen war.

F. Hat das Amt III von Zeit zu Zeit Berichte ueber politische Lagen gegeben, sodass die Gestapo eine Grundlage hatte fuer ihre Aktionen?

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A. Ja.

F. Wer hat Terboven ernannt?

A. Hitler.

F. Sie haben gesagt, dass dieser Bericht von Amt III an Himmler weitergeleitet wurde. Wurde dieser Bericht an irgend eine andere Abteilung weitergeleitet?

A. Das kann ich nicht sagen.

F. Sie haben gesagt, dass Sie im Gegensatz standen zu diesem Terror in Norwegen. Meinten Sie damit, dass Sie persoenlich dagegen waren?

A. Ich habe keine massgebliche Meinung. Ich meine damit die Meinung meines Amtschefs IV mit der ich nicht einverstanden war und der diese Berichte unterschrieb und sie sich zu eigen machte.

F. Wer war das?

A. Gruppenfuehrer Mueller.

F. Und Mueller hat diesen Bericht aufgrund ihrer Aufforderung unterschrieben?

A. Ja.

F. Wissen Sie nicht, ob er mit Kaltenbrunner verhandelt hat?

A. Ja, ich weiss nur, dass in dem Monat, wo Kaltenbrunner da war, natuerlich die Sachen, die an eine hoehere Instanz gingen, Kaltenbrunner vorgelegt wurden.

F. Ausser den terroristischen Befehlen, die Terboven an die Gestapo in Norwegen gegeben hat, hat es noch andere Differenzen gegeben zwischen Mueller und Terboven, nicht wahr?

A. Ich weiss im Moment nicht, was gemeint ist.

F. Es war doch Mueller aus diesem Grund wuetend, weil Terboven Befehle an die Gestapo gegeben hat, die Mueller an die Gestapo weitergeben wollte.

A. Das war eine ungluecklicha Organisation der Polizei in all besetzten Westgebieten, da sie nie unter einem einheitlichen Kommand standen, waehrend dessen der Reichskommissar, die Hoeheren SS- und Polizeifuehrer und die Wehrmacht in der Lage waren, Befehle zu geben

F. Aber Mueller war doch hauptsaechlich wuetend daruebem, das ein grosser Teil der Befehle, Terboven an die Gestapo gab, waehrend

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Mueller dachte, dass diese Befehle von ihm erteilt werden sollten.

A. Diese Auffassung Terbovens teilte Mueller in diesem Fall nicht. Er war wuetend darueber, dass Terboven die Moeglichkeit hatte der Gestapo Anweisung zu geben, und derartige Anweisungen gab, die das Amt IV ablehnte.

CAPTAIN TUBRIDY: Ich denke wir schalten eine kleine Pause ei

(Pause von 12.30 bis 12.40).

F. Und nun zur Situation von Daenemark. Am 29. August 1943 hatte die daenische Regierung aufgehoert zu existieren?

A. Ja.

F. Anfangs September gingen Sie und Dr. Mildner nach Kopenhaben?

A. Ja. Der Ausnahmezustand wurde meines Erachtens am 29. August 1943 verhaengt.

F. Sie und Mildner gingen nach Kopenhagen anfangs September

A. Ja.

F. Mildner war Befehlshaber der Sicherheitspolizei und des S

A. Ja.

F. Und Sie waren Chef der Abteilung IV der Gestapo?

A. Ja.

F. Hat es zu jener Zeit in Daenemark einen hoeheren SS- und Polizeifuehrer gegeben?

A. Er kam meiner Erinnerung nach kurze Zeit nach uns.

F. Das war Pancke?

A. Ja.

F. Pancke.

A. Das kann stimmen.

F. Und Dr. Mildner wurde von Bevensipen ungefaehr am 5. Januar 1944 ersetzt?

A. Ja.

F. Eines der ersten Aufgaben war, die Deportation der daenischen Kommunisten?

A. Ja.

F. Das wurde zu einer Zeit gemacht, wo Sie und Mildner die einzigen Vertreter der Sipo in Daenemark waren?

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A. Ja.

F. Das wurde auf Befehl des Amtes IV im RSHA gemacht?

A. Ja.

F. Und Sie und er haben diese Befehle ausgefuehrt?

A. Ja.

F. Und die Aktionen wurden auch im September ausgefuehrt?

A. Ich glaube ja.

F. Und zu dieser Zeit waren Sie und Mildner noch die einzige Sipo-Leute in Daenemark, Pancke war noch nicht da?

A. Ja.

F. Eichmann war zu jener Zeit der Chef der Abteilung IV b 4

A. Ja.

F. Und er hatte die Verantwortung ueber die Handhabung der juedischen Fragen durch die Gestapo?

A. Ja.

F. Hat Eichmann seinen Vertreter Guenther nach Kopenhagen geschickt, um diese Evakuierung der Juden zu ueberwachen?

A. Ja.

F. Sie und Mildner mussten ihm da helfen?

A. Ja, wir protestierten in Berlin vergeblich und mussten dann die Befehle ausfuehren.

F. Die Hauptanforderungen kamen von Amt IV in Berlin?

A. Von der Dienststelle Eichmanns, die meines Erachtens eine Sonderstellung einnahm.

F. Wenn Sie gegen diese Handlungen gegen die daenischen Juden protestierten, bei welchem Amt des RSHA haben Sie Protest eingereicht?

A. Standartenfuehrer Mildner flog persoenlich nach Berlin u trug die Sache Gruppenfuehrer Mueller vor. Soweit mir Dr. Mildner gesagt hat, hat er und Mueller ein Fernschreiben an die Reichsfuehr SS gegeben, um die Aktion zu verhindern. Spaeter als Mildner dann zurueckkam, kam dann der Befehl von Himmler, die Aktion doch durchzufuehren und zu der Zeit kam Sturmbannfuehrer Guenther und fuer die Aufgabe wurden 2 Bataillone Schutzpolizei noch eingesetzt.

F. Die Befehle von Himmler, dass die antijuedischen Massnah

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sofort beginnen sollen wurden durch den Chef der Sicherheitspolizei und dem SD weitergeleitet?

A. Ja, das ist moeglich.

F. Koennen Sie sich erinnern, dass diese Aktionen kein gutes Ergebnis hatten?

A. Ja.

F. Koennen Sie sich noch erinnern, dass Mueller und Dr. Mildner befohlen haben, einen Bericht zu machen, warum die Massnahmen teilweise nicht gegluckt waren?

A. Das ist moeglich. Ich kann mich an einen Bericht nicht genau erinnern, weil Mildner alle diese Dinge allein machte.

F. Waehrend der ganzen Zeit gingen die Deportationen von Personen immer weiter, die angeklagt waren, irgendwelche ungesetzliche Handlungen gegen die Deutschen ausgefuehrt zu haben.

A. Diese Deportationen wurden fortgesetzt auf Weisung von Berlin in der Hauptsache deshalb, weil Adolf Hitler die Durchfuehrung von Gerichtsverfahren verboten hatte in Daenemark nach einiger Zeit.

F. Und deshalb war es Ihre ungluecklicke Aufgabe diese daenischen Staatsangehoerigen zu verhaften und sie ohne irgendwelche Verhandlung oder ohne irgendwelches Gerichtsurteil nach Deutschland zu deportieren, wo sie dann in Konzentrationslagern zusammengefasst wurden.

A. Meine Aufgabe war es, diejenigen daenischen Staatsangehoerigen festzunehmen, die sich aktiv gegen die deutsche Wehrmacht durch Spionage oder Sabotage und Unterstuetzung dieser Massnahmen vergingen.

A. Wenn die Untersuchungen abgeschlossen waren, wurden diejenigen Personen, deren Schuld nachgewiesen war zunaechst in Daenemark weiter in Haft gehalten. Wenn ein Befehl zur Deportation kam, wurden die am schwersten Belasteten, die vermutlich bei einer Abteilung die Todesstrafe oder eine schwere Freiheitsstrafe zu erwarten hatten, nach Deutschland deportiert.

F. Nach dem daenischen Bericht wurden 6104 Daenen nach Deutschland in Konzentrationslager verbracht. Ist das ungefaehr d

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richtige Zahl?

A. Das kann sein.

F. Nun gehen wir auf diese Gegenmassnahme und die sogenannte Clearing-Morde ueber. Sie wissen doch, dass, wenn ein Mann unter de Wort "Clearing-Mord" ermordet wurde, ein Daene, der eine aehnliche Position innehatte und in Haft war, auch erschossen wurde.

Diese Gegenmassnahmen gingen auch weiter, wenn zum Beispiel eine Fabrik von Daenen zerstoert wurde, die Material fuer Deutschla fabrizierte, dann wurde dafuer eine daenische Fabrik zerstoert.

A. Ich kenne diese Dinge. Aber ich moechte von vorneherein b tonen, dass das keine Massnahmen waren, die durch die Staatspolize durchgefuehrt wurden.

VORSITZENDER: Das moechte ich selbst ausfindig machen. Sie wissen doch, dass Pancke am 30. Dezember 1943 in das Fuehrerhaupt-quartier gerufen wurde?

A. Ja.

F. Wissen Sie, wer noch bei dieser Zusammenkunft dabei war?

A. Soweit ich mich entsinne, Dr. Best und General von Bancke

F. Nach dem daenischen Bericht und nach dem Verhoer von Pan waren noch folgende Herren bei dem Treffen dabei: Himmler, Kaltenb ner, Jodl und Schmundt?

A. Das ist moeglich, mir sind nur die in Erinnerung.

F. Sie wissen doch, dass Dr. Mildner kurz darauf durch Bove siepen ersetzt wurde, weil Mildner den Gegenterror nicht genuegend ausgefuehrt hat?

A. Ja, so hat es mir Mildner nach seiner Rueckkehr aus Ber dargestellt.

F. Mildner ist zu jener Zeit mit Pancke dorthin gegangen?

A. Nein, ich glaube das war eine andere Zusammenkunft.

F. Was sind die Befehle, die Pancke erhalten hat, also die Befehle, die er Ihnen und Bovensiepen erklaert hat, nachdem er vo Berlin zurueckgekehrt war?

A. Ich habe persoenlich an diesen Besprechungen Bovensiepen mit Pancke nicht teilgenommen.

F. Aber Bovensiepen hat Ihnen doch erzaehlt, um welche Befe

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es sich gehandelt hat?

A. Bovensiepen hat mir gesagt, dass der Befehl des Fuehrers bestand, dass die Massnahmen der Widerstandsbewegung gegen Deutschland mit derselben Massnahme gegen die daenische Industrie beantwortet werden sollte.

F. Das heisst also, ohne dass die eigentliche Schuld dabei betrachtet wurde?

A. Ja.

F. Das sollte von der deutschen Polizei durchgefuehrt werde

A. Erst sollte es von der deutschen Polizei ausgefuehrt werden, aber wir haben uns dagegen gewehrt. Ich fuehrte bereits an, d im Dezember bereits in einem Fall, als Gestapo-Angeworbene eine de artige Massnahme durchfuehren mussten, ein ploetzlicher Befehl kam und Panche auf eine schnelle Handlung draengte und offenbar Dr. Mildner keine andere Moeglichkeit zunaechst sah.

Ich fuhr dann persoenlich nach Berlin zu Gruppenfuehrer Mueller und erreichte, dass eine andere Regelung getroffen wurde, bezw ausschliesslich festgelegt wurde.

F. Das heisst von der Gestapo?

A. Nein, nicht von der Gestapo.

F: War diese Aktion, die Sie ausfuehren mussten, der Mord von Kat Munk ?

A: Nein, das war die Erschiessung von drei Angehoerigen einer Sabotage-Gruppe.

F: Mildner hat doch die Ermordung von Kat Munk befohlen ?

A: Das habe ich spaeter gehoert .

F: Wissen Sie, wen er zur Durchfuehrung des Befehls benutzte ?

A: Er hatte schon ein Teilkommando der Skorzeni-Verbaende da unter Fuehrung von Hauptsturmfuehrer Schwerdt, der diese Sachen ausfuehrte.

F: War er Befehlshaber des Amtes Mil. V ?

A: Ich kann mich an die genauen Referatsbezeichnungen nicht erinnern, weil die haeufig wechselten. Er hatte jedenfalls das Referat, das sich mit Amt VI befasste

F: Diese Leute wurden von Skorzeni, von Amt VI heraufgeschickt ?

A: Ja.

F: Diese Gruppe war doch auch als "Peter-Gruppe" bekannt, weil der Vorname ihres Fuehrers Peter war.

A: Das ist moeglich. Es war jedenfalls der Deckname, unter dem die Gruppe lief.

F: Kam sie ungefaehr im Januar 1944 nach Daenmark ?

A: Ich kann das genaue Datum nicht sagen, weil ich zunaechst in diese Aktion nicht eingeweiht wurde.

F: Aber es war ungefaehr zu jener Zeit ?

A: Das ist moeglich.

F: Sie mussten doch Listen halten ueber Intellektuelle und politisch nicht ganz Einwandfreie, nicht wahr ?

A: Zu dieser Zeit hatten wir keine derartigen Listen. Die Sache hat sich spaeter so entwickelt: Bovensiepen gab bei Beginn seiner Taetigkeit die Anweisung, dass eine sogenannte Art Kartei eingerichtet werden sollte. Dies war eine Institution, die es auch im Reich gab, in der in Krisen-Faellen bestimmte Leute festgenommen werden sollten. Er hat uns nicht gesagt, dass er beabsichtigte, diese Listen fuer diese Zwecke zu benuetzen.

F: Mussten Sie auch eine Liste von Schluessel-Industrien machen, die fuer Daenmark produzierten und nicht fuer Deutschland ?

A: Nein. Ich habe aber bei einer Gegenueberstellung durch daenische Offiziere erfahren, dass Bovensiepen sich eine derartige Liste vom Ruestungskommando besorgt hat.

F: Also hatte Bovensiepen diese Liste von Personen benutzt, die Sie bereitet ha

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ben fuer diese besondere Kommando-Gruppe, die diese Morde ausgefuehrt haben ?

A: Wie ich spaeter gehoert habe.

F: Was wissen Sie ueber die Befehle Kaltenbrunners an Bovensiepen, ueber eine ev geplante Aktion, die in der Verhandlung am 1. April stattgefunden hat, gegen eine Provinzstadt Aarhus ?

A: Ich kann hierueber aus eigener Anschauung nichts sagen, da wir in der damaligen Zeit mit Bovensiepen gewisse Spannungen hatten, gerade ueber diese Frage, und er mich nicht unterrichtete.

Ich habe spaeter von dieser Massnahme natuerlich gehoert, aber inwiefern noch eine besondere Weisung von Kaltenbrunner vorlag, kann ich nicht sagen.

F: Wissen Sie, wieviel Terror-Akte von der Peter-Gruppe ausgefuehrt wurden ?

A: Das kann ich nicht sagen. Wir erhielten mit den anderen Sabotage-Meldungen auch diese und ersahen teilweise schon aus dem Projekt, dass das keine von daenischer Seite sein konnte und erhielt dann spaeter Mitteilung von Bovensiepen. Die Masse der Beamten war von diesen Dingen nicht unterrichtet.

F: Die daenische Bevoelkerung hat doch mit der Zeit gewusst, dass diese Morde von der Gestapo oder von dieser Organisation ausgeuebt wurden ?

A: Sie haben mich insofern missverstanden. Selbstverstaendlich haben die Gestapo-Beamten das nachher auch gemerkt, aber sie sind nicht von vornherein in diese Dinge eingeweiht worden.

F: War es nicht Pancke, der diese Aktion fuehrte, dass die Polizei ausgeschieden werden soll, das heisst die Deportation der Polizei ?

A: Ja.

F: Wissen Sie, mit wem Pancke in Berlin verhandelt hat oder ob er mit jemand ueber diese Ermordungen gesprochen hat ?

A: soviel mir gesagt worden ist und soweit ich mich erinnere, ist sein Adjutant mit einem Schreiben vom Reichsfuehrer persoenlich nach Berlin gefahren.

F: Wie haben Sie von dieser Aktion erfahren ?

A: Ich glaube zwei Tage vorher als die Antwort von Berlin bzw. aus dem Fuehrerhauptquartier bereits erwartet wurde, sodass wir keinerlei Einflussmoeglichkeit mehr auf die Durchfuehrung der Aktion hatten, weil der Befehl von Berlin aus sch. unterwegs war.

F: Von wem haben Sie erfahren, von Mueller als Chef des Amtes IV ?



A: Von Pancke.

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F:Welche Korrespondenz ist dann zwischen Ihrem Buero Kopenhagen und Amt IV in Berli gefuehrt worden ?

A: Wir konnten keinerlei Korrespondenz fuehren, da Pancke dem Bovensiepen und mir Stillschweigen auferlegt hat, besonders, da er diese Aktion amlaesslich der Abwesenheit von Dr. Best ausfuehren wollte.

F: Aber diese daenischen Polizisten wurden doch in deutsche Konzentrationslager geschickt. Sie muessen doch in irgendeiner Zeit mit Amt IV in Verbindung getreten sei

A: Nein, das konnten wir nicht. Die ganzen Vorbereitungen sind von Pancke schon mi dem Reichsfuehrer-SS getroffen worden. Wir wussten z.B. nicht, dass der Dampfer am Tage der Festnahme noch weggehen sollte.

F: Mit anderen Worten hat also Pancke alle Vorbereitungen getroffen mit Himmler, Kaltenbrunner und Mueller, waehrend er in Berlin war und deshalb war es nicht noetig dass Sie mit Amt IV in Verbindung traten ?

A: Das ist moeglich. Es war ja eine Aktion zur Entwaffnung von bewaffneten Kraefte Dies wurde durch die Ordnungspolizei durchgefuehrt. Wir hatten nur den Auftrag, aus den Gefangenen die herauszusuchen, die wir fuer die sicherheitspolizeilichen Ermittlungen brauchten und die Akten aus den Bueros sicherzustellen.

F: Aber die Gestapo war doch die einzige Organisation, die das absolute Recht hat Leute in Konzentrationslager einzuweisen?

A: Aber der Reichsfuehrer konnte selbstverstaendlich auch einweisen.

F: Und Ihre Aufgabe war, die Listen fuer die Polizei zu machen, fuer die die verhaftet werden sollten ?

A: Nein, es wurden vorher gar keine Listen aufgestellt, sondern die Ordnungspolizei besetzte die Bueros und nahm nur diejenigen Beamten fest, die gerade im Dienst waren Das war ja einer der Gruende, weshalb wir die Aktion als sinnlos ansahen.

F: Haben Sie irgenwelches Uebersichtspersonal gestellt, um diese Aktion zu ueberwachen ?

A: Jedem Ordnungspolizei-Kommando, das eine Polizeidienststelle besetzten wurde ei Beamter der Sicherheitspolizei mitgegeben, der die Akten und die im Buero befindlichen Gegenstaende sicherstellte. Da es eine militaerische Aktion war, wurde ausdruecklich festgestellt, dass das Kommando einen Offizier der Ordnungspolizei hatte. da evtl. mit Widerstand gerechnet werden musste. Der Beamte der Sicherheitspolizei hatte lediglich zu entscheiden, welches Material und welche Akten sichergestellt werden sollten.

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F: Und auch um die Polizei auszusondern, die fuer weitere Untersuchungen gebraucht werden.

A: Ja, das waren aber nur ganz wenige. Diese wurden ja von der Deportation ausgeschlossen.

F: Und wie haben Sie diesen Befehl ausgefuehrt, wenn es ein Befehl war, dass nur die unter 55 Jahren deportiert werden sollten ?

A: Das geschah dadurch, dass meine Beamten und ich an den Hafen gingen und ich unter den Gefangen viele daenische Polizeibeamte feststellte. Wir sonderten zunaechst die leitenden Polizeibeamten, mit denen wir persoenlich zusammengearbeitet hatten, aus und dann beschlossen wir, nachdem wir uns mit denen unterhalten hatten wenigstens diese Milderungsmassnahme zu treffen, weil wir von Pancke hoerten, dass ein Befehl von ihm kam, dass die Leute heute noch in See gehen sollten. Wir hatten angenommen, dass die Beamten noch einige Zeit in Daenemark bleiben wuerden.

F: Hatten Sie das Recht, diese Beamten zu befreien, nachdem sie von der Ordnungspolizei in Haft gehalten waren ?

A: Wir gingen zu Pancke und trugen ihm die Sache vor und verlangten, dass wir diese herausnehmen koennten. Einen Teil gestand er zu und den anderen Teil haben wir dann auf eigenes Risiko gemacht. Wir hatten einen formalen Befehl bekommen, den wir dann ausweiteten.

F: Was war die Stellung der Waffen-SS in Daenemark ?

A: Die daenische Waffen-SS unterstand Pancke.

F: Ich meine die deutsche Waffen-SS, die unter Pancke war.

A: Mir ist nicht erinnerlich, dass Formationen der Waffen-SS, abgesehen von der Peter-Gruppe, in Daenemark stationiert waren.

Doch, jetzt faellt mir ein, es waren einmal vorueborgehend einige Einheiten auf Juctland stationiert und spaeter estlaendische Einheiten auf Fuenen.

F: Haben Sie je einmal einer dieser verschaerften Vernehmungen beigewohnt ?

A: Nein.

F: Haben Sie nicht gefacht oder nicht es als eine Ihrer Aufgaben gesehen, diesen verschaerften Vernehmungen beizuwohnen, um zu sehen, ob sie bemaess den Vorschriften gefuehrt wurden ?

A: Ich war ja Verwaltungsbeamter. Diese Dinge muesten ja durch Exekutiv-Beamten ausgefuehrt werden.

F: Sie waren aber doch Chef der Gestapo in Kopenhagen, und es war Ihre Verant-

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wortung, dass diese Vernehmungen nach den Befehlen ausgefuehrt werden sollten ?

A: Meine Pflicht war es, dass ich die Exekutiv-Beamten in der Richtung anwies und sie immer wieder darauf hinwies, dass diese Dinge in Ordnung gingen. Im uebrigen war es fuer mich als Abteilungsleiter unmoeglich, mich um einzelne Dinge zu kuemmern.

F: Wen haben Sie beauftragt, das verschaerfte Verhoer des Obersten Tiemroth vorzunehmen ?

A: Der Sachbearbeiter Kriminalsekretaer Wiese und der Kriminalsekretaer Elbert trugen die Sache vor, dass durch diese Ermittlungen die militaerische Gruppe in Kopenhagen und insbesondere die Gruppen, die kurz vorher die Erschiessungen der deutschen Soldaten vorgenommen haben, ermittelt werden koennten und daraufhin habe ich, da offenbar zunaechst andere Mittel nicht Erfolg hatten, diese Sachen genehmigt.

Nachdem die Organisation aufgestellt war, kam dann die Aktion auf das Shellhaus. Hier hatte Oberstleutnant Tiemroth die Moeglichkeit gehabt zum Entfliehen, aber er ist nicht entflohen, ein Zeichen, dass er von uns nicht zu schlecht behandelt worden ist.

F: Was war die Position des Oberstleutnant Tiemroth ?

A: Soweit ich micherinnere, hatte er die Militaer-Organisationen und die Sabotage-Gruppen von Kopenhagen.

F: Was war seine offizielle Position ?

A: Oberstleutnant.

F: In der daenischen Armee ?

A: Ja.

F: War er ein Armee-Offizier ?

A: Ja.

F: Nun moechte ich Ihnen vorlesen, was Oberstleutnant Tiemroth gesagt hat, was ihm passiert ist, waehrend er im Shellhaus war:

"Ich wurde sofort mittels Handschellen und einer Kette an das Fussende eines eisernen Bettes gefesselt und jetzt von zwei Gestapo-Beamten vernommen, die entweder auf einmal oder abwechselnd auftraten. Der eine der beiden Beamten war Kriminalrat Wiese, den Namen des anderen gelang es mir nie, zu ermitteln; er war sehr unangenehm, hochnisch und provozierend. Ferner war die ganze Zeit mindestens ein Daene anwesend. Die bis etwa 2.45 Uhr nachts dauernde Vernehmung war ausserordent-

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lich enervierend. Man wechselte zwischen Drohungen und Versprechen. Zuerst wurde angedeutet, dass ich riskierte, erschossen zu werden, da ich aber daraufhin antwortete, voellig darueber im Klaren zu sein, worauf ich mich eingelassen haette und dass durch meine etwaige Hinrichtung eher meine Familie betroffen wuerde, hoe te man auf, davon zu reden. Dagegen wurde mir unter anderem in kurzen Zeitabschni ten mit meinem Sohn und meiner Ehefrau gedroht, und dann und wann geriet Wiese in wilde Wut, zeigte auf das aufgehaengte Bild von Hitler und schrie, dass Deutschland fuer das Leben kaempfte und den daenischen Widerstand nicht dulden wuerde; man wuerde ruecksichtslos auf die Strassen gehen und Leute haufenweise erschiess. Dazwischen wuerde mir die Befreiung, vor ein Kriegsgericht gestellt zu werden und in Kopenhagen zu bleiben versprochen, falls ich ihnen helfen wuerde ...

Zu irgend einer Zeit am Abend, als Wiese eine Zeit lang abwesend gewesen war, kam er herein und holte aus einem Schrank einen etwa 1 m langen fingerdicken Stock aus Bambus mit einer Bewicklung am Ende. Er verliess das Zimmer damit, indem er sagte: "Ich muss etwas harte Arbeit leisten." Nachher, etwa 1 Stunde spaeter, kam er mit dem Stock zurueck und fing an, mich ueber "Frit Danmark" auszufragen, und ich verstand, dass er Inge ieur Prior gepruegelt und festgestellt hatte, dass unsere Aussagen nicht uebereinstimmten (der Inge ieur arbeitete fuer Frit Danmark). Er (Wiese) loeste mich jetzt vom Bett, befahl die Jacke abzunehmen und nachdem ich wieder mit Handschellen gefesselt war, musste ich mich in der Stellung hinstellen, die man einnimmt, um mit gestreckten Knien den Fussboden mit den Fingerspitzen zu beruehren. Er warf mich und und her, bis er mich in eine fuer ihn guenstige Stellung angebracht hatte und pruegelt mich alsdann, indem er bei jedem Hieb den Stock mit beiden Haenden ueber dem Kopf schwang, als wenn ein Arbeiter mit einem Schlegel oder aehnlichem hantiert. Es tat sehr weh.

Der zweite Gestapobeamte leitete inzwischen die Vernehmung und stellte zwischen den Hieben Fragen. Wie lange es dauerte, weiss ich nicht, vermeintlich zwischen einer halben und einer Stunde, ab und zu wurde mir aber befohlen, mich aufzurichten, damit sie mich beide ausfragen und vielleicht, damit mir das Blut vom Kopf laufen konnte. Nach der Verpruegelung warf sich Wiese pustend auf das Bett und erklaerte, er hiesse nun nicht laenger Herr Oberstleutnant, sondern nur Tiemroth und jetzt seien wir nicht gute Freunde. Dies letztere bestaetigte ich.

Bei der Beendigung der Vernehmung, etwa um 2.45 Uhr nachts, befand ich mich in einem solchen Zustand, dass ich fast nicht sprechen konnte. Ich wurde in eine

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Zelle des Untersuchungsgefaengnisses unter dem Dach gefuehrt und Wiese verabschiedete sich mit der Bemerkung: "Ja, jetzt sind Sie muede, morgen setzen wir aber fort, und, wenn es nicht geht, nehmen wir wieder den Stock in Anspruch."

F: Ist das die Gestapo-Methode, wie man Offiziere behandelt ?

A: Ich kann hierzu nur folgendes erklaeren: Durch die Organisation von Oberstleutnant Tiemroth sind 15 ueber die Strasse marschierende deutsche Soldaten, wie wir spaeter festgestellt haben, aus dem Hinterhalt einer Tankstelle erschossen worden. Wiese war ein besonder ruhiger Beamter, der an und fuer sich ungern an eine verschaerfte Vernehmung heranging. Ich habe spaeter festgestellt, dass er mit Oberstleutnant Tiemroth oefters auch im Vorzimmer zusammensass, wo man Oberstleutnant Tiemroth besondere Speisenbereitet hat, da er an irgendeinem Leiden litt. Ich hatte somit keine Veranlassung, anzunehmen, dass irgendetwas geschehen ist, was ueber den Rahmen der verschaerften Vernehmung hinausgegangen waere. Selbstverstaendlich hoeren sich derartige Dinge nicht schoen an, wenn man sie jetzt vorliest; ich habe aber auch darauf hingewiesen, dass wur es mit besonderer Ueberlegung einer Gueter-Abwaegung vorgenommen haben.

F: Also hat Wiese die Befehle nicht ueberschritten in der Behandlung von Tiemroth?

A: Das habe ich hier nicht gesagt. Ich kann ja keine Stellung nehmen,wie sich Wiese wirklich verhalten hat. Wenn die Darstellung so ist, ist sie ueber die Zustaendigkeit der verschaerften Vernehmung hinausgegangen.

Lieut. Harris: Keine weiteren Fragen.

Durch Dr. Gawlik: F: Ich habe noch zwei kurze Fragen:

Gehoerten die in Ihrem Bericht ueber Terboven in Amt III angefuehrten Massnahmen, beispielsweise die Erschiessung von Geiseln und das Niederbrennen von Doerfern, zu den allgemeinen Aufgaben der Gestapo ?

A: Ich kann hierzu nur folgendes erklaeren.

Wir lehnten alle diese Massnahmen aus folgenden Gruenden ab. Ein Mann, der den politischen Entschluss gefasst hatte, gegen Deutschland zu kaempfen und sich der Widerstandsbewegung anschloss, unterstand den militaerischen Befehlen der Alliierte Er war also Soldat und handelte nur nach seinen Befehlen. Man konnte seine Taetigkeit nur ausschalten, indem man ihn persoenlich festnahm; andererseits liess er sich durch die Massnahmen wie Geisel-Erschiessungen und Niederbrennen von Doerfern nicht in seiner persoenlichen Meinung beeinflussen.

Das zweite Mittel zur Bekaempfung war alsodie politischen Beweggruende fuer die-

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sen Entschluss durch eine vernuenftige deutsche Politik zu beseitigen. Alle anderen Massnahmen waren fuer Deutschland schaedlich.

F: War an dem Erlass der Deportation der daenischen Polizei die Gestapo beteiligt

A: Ich kann nicht sagen, inwieweit vorher der Amtschef IV bzw. der Chef der Sicherheitspolizei eingeschaltet war, ehe der Befehl, der ja nicht von Hitler kam, an diesen herangebracht wurde. Es war fuer uns immer eine der Schwierigkeiten, d dass die Hoeheren SS- und Polizeifuehrer Probleme unmittelbar an den Reichsfuehre SS herantragen konnten und damit das Reichssicherheitshauptamt ausschaltete.

F: Wenn die von dem Oberstleutnant Tiemroth geschilderte Art seiner Vernehmung Ihnen bekannt geworden waere, was haetten Sie gegen die beteiligten Beamten unternommen ?

A: Ich war nicht Disziplinar-Vorgesetzter der Beamten; ich haette eine Darstellung des Benehmens der Beamten an den Disziplinarfuehrer abgegeben.

F: Zu welchem Zweck waere das an den Untersuchungsrichter abgegeben worden ?

A: Zum Zwecke der Bestrafung.

F: Ich habe keine weiteren Fragen.

(Die Kommission vertagte sich um 14 Uhr)

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Das Vorstehende ist eine richtige und wahre Niederschrift der Aussagen vom 27. Juni 1946.

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